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# THE HOUSE OF SETON

A STUDY OF LOST CAUSES

BY

SIR BRUCE GORDON SETON, B.T., C.B.

VOLUME I

LINDSAY AND MACLEOD

10 GEORGE STREET, EDINBURGH

1939



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## PREFACE

THIS is the first of two volumes which, in a sense, are complementary to the monumental "House of Seton," by George Seton, and are the last work of my husband, Sir Bruce Gordon Seton of Abercorn, Bt. The work, involving enormous labour, was commenced by him shortly after he inherited the "Touch Charter Chests," following upon the death of Sir Douglas Seton-Steuart of Touch, Bt., and was finished only a few weeks before my husband passed over.

The printing and publishing of these volumes would have been very costly, and I desire to express my appreciation to Mr. Fred. T. Macleod of Messrs Lindsay & Macleod, reproducers of Court of Session and other papers, for kindly agreeing to undertake the responsibility of reproducing by duplication 150 copies of the Manuscript. He desires me to state that the volumes, the second of which will shortly be completed, are simply copies of my husband's Manuscript, and that no editing or revision thereof has been adopted.

A complete detailed index will form part of the second volume.

ELMA SETON

10 ELVASTON PLACE  
LONDON



To its women the Family of Seton  
owes many of its triumphs, and  
some of its misadventures -

In token of this, the  
compiler of this review of the  
history of a declining house  
dedicates his efforts


to

JEAN GORDON SETON  
MARIE de SETON SETON  
and  
EGIDIA HAY SETON

in the certain knowledge that, in  
an Age characterised by a soulless  
uniformity and disappearance  
of ideals,

They,

at least, possess all the qualities  
which brought joy and sorrow to the  
men, long passed away, whose great  
Name they have the privilege to bear.



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LOST CAUSES.FOREWORD.

This book makes no claim to be a history of Scotland. History, as written, is a function of the mentality of the writer, the resultant of his reaction to recorded facts; and this position is complicated further by the difficulty of getting anything like uniformity in the records themselves.

The humble student of the history of a family is compelled, therefore, to select his facts in accordance with his own temperament, and not as laid down in any text book.

The conflict that has raged round the life of the Martyr Queen will probably never be settled satisfactorily; she has to be accepted as one of the many Lost Causes for which men have sacrificed life, position, everything they had - and would do it again.

Nor does the author claim to have produced a complete family history.

It may be asked what is the object of a book which is neither a history nor a biography and which yet, in a sense, is both.

The object, as far as the general reader is concerned, is to show how a typical Scottish family helped to mould the history of the country, sometimes to their own advantage, generally to their great loss. Its primary object, as far as the rising generation of that family is concerned, is to show how their ancestors, during many centuries, pursued causes, long after the world recognised they were lost, with a loyalty and singleness of purpose which, though equalled by many of their contemporaries, were never exceeded.

Perhaps they too, in the days before them, will remember the motto "Forward Ours", even though they appreciate that to resile from a course of action taken up may be easier and more profitable than to go forward. But they must endeavour, before embarking on such a course, to live up also to the other motto "Hazard Warrilie".

## INTRODUCTION.

It is not claimed that the family of Seton - whether in its main line or its cadet branches - was other than a representative Scottish family. Many others did as much as they did; some, on certain occasions, accomplished more. But perhaps it may be said that, over the period which commenced with the War of Independence and ended in the tragedy of Culloden, they pursued what they regarded as their ideals with a disregard of the consequence to themselves which is, to say the least, unusual in the chequered history of their native Land.

Loyalty, an enduring, blind and perhaps irrational loyalty, was their prominent feature in successive generations; and they had a flair for supporting Lost Causes which marked them out among most of their contemporaries whose loyalty was spasmodic rather than continuous. Their loyalty indeed, during the period referred to, was what the Mendelian calls a dominant; and to the women they married through the generations is due the credit of the fact that very rarely was any recessive trait of disloyalty or selfishness introduced into the strain.

It must have been at least as difficult in those days as it is now for a man to reconcile his duty with his interests. Life, from the social, political and still more from the religious point of view, was perhaps more complicated then than now, if only because the game demanded an initial stake, and the loser always paid.

To belong to the national as opposed to the English party, to be a Catholic or even an Episcopalian, to be a Jacobite, meant, at certain periods of the history of Scotland, that a man must be prepared not merely to be defeated in a matter of academic interest, but to sacrifice literally everything he owned, if and when he lost.

Individuals in every Scottish family could always be found to accept the risk for the pleasure of the game or the chance of success; but of the Setons it is literally true that, for more than four hundred years,

successive generations produced men who were prepared to follow their ideals, regardless of the disasters which had befallen their predecessors.

Queen Mary, than whom no one had better opportunities of judging, expressed in a motto which she is said to have given to Lord Seton what she regarded as a summary of the family characteristics: "Ung Dieu, Ungne Foy, Ung Roy, Ungne Loy" - and, when Seton refused an Earldom, Lord Kingston tells us; "She caused wryte these verses

Ylia des contes, des roys, des ducs aussi,  
Cet assez pour moy d'estre seigneur de Seton" (1)

The two mottoes, taken together, though applied in the first place to one distinguished individual, may be regarded as summing up the ideals of the family, and as explaining their general outlook on life. The first, looked at from the vantage point of the present day, connotes Lost Causes; the second suggests methods of dealing with Life's problems which were bound to be unpopular and might be fatal to the individual.

Success often came to the Setons; but, sooner or later, - with few exceptions - the honours awarded by one King were lost in the defence of his successors. Attainder and forfeiture befell the last holders of the Earldoms of Winton and of Dunfermline and the Viscounty of Kingston, and complete ruin was the lot of many of the cadet branches - At different times the Gordons had to pay heavily for their hardihood in continuing in the minority, and some of the Eglintons suffered in their fortunes by espousing what even at the time appeared to be Lost Causes.

The fires have died out now, - the last flicker was seen in 1745 - and the family has stepped down to a dead level of respectability which affords neither the scope nor the opportunity for pursuing anything but a solution of those pressing problems which may be defined as "res angustae domi". Perhaps to some of the few survivors

1. Kingston. Continuation of the History of the House of Seytoun. 57.



of the more spacious days these problems are themselves essentially Lost Causes.

Looking back over the history of Scotland there are four periods in which the activities of the Seton family, political and military, are most evident. In the intervals between, however, they were by no means inactive.

Of these periods the first is that of the Wars of Independence from 1296 to 1314; the family at that time was small in numbers and was only commencing to occupy a position of any importance in Scotland. It consisted of the main line only, and the individuals composing it were faced with the difficulty of owing allegiance for their English possessions to the English King, and for their Scottish possessions to the Scottish Crown, the wearer of which was, for a long time, himself in the same precarious position. The earliest recorded member of the family to fall a victim of the wars with England was one Christopher Seton who was killed at Dillecarew on 12th, June 1298, when Edward 1st. invaded the east of Scotland; but the best known of these individuals were Sir Christopher, brother-in-law and friend of the Bruce, and his remote kinsman Sir Alexander whose name is inseparably associated with Bannockburn and with the Siege of Berwick in 1333. That "Good Sir Chrystall" was an English subject, as claimed by the English King, may be true in so far as he possessed estates in Yorkshire and elsewhere which were subsequently forfeited because of his support of Robert Bruce. But the same was true of the latter also, as owner of estates in Huntingdon. Of Sir Christopher it is said by Maitland that "quhen "the Crown was desolat and in pley betuix the Bruce and "the Balioll" i.e. about 1292, he was "ay awating his "tyme contrase the Enghsmien" in Jedburgh forest. Sir Christopher's career appears to have been a short one, and his marriage to the Bruce's sister was speedily followed by the military operations which terminated for a time at Methven in June 1306. Here he saved the King, but was himself captured, by treachery not long after the battle, and was executed at Dumfries. The same

fate befell his brothers John and Richard. Of Sir Alexander, of Siege of Berwick fame, we know that he was at Bannockburn, and that he took part in Edward Bruce's campaign in Ireland 1315-1318, while, as keeper of Berwick Town in 1333, he held the place against great odds and lost two sons in the process. Another of his sons, also an Alexander, was killed at Kinghorn in the course of the Balioll's intervention in the governance of Scotland, in 1332. In spite of his losses during his lifetime Sir Alexander must be regarded as one of the successful members of the family, for, on the large rewards he received during his lifetime from the Crown, were based the fortunes of his successors.

During the interval between the Wars of Independence and the Marian period proper there was scope enough for intrigues and fighting for those who were qualified for either; and, as the family rapidly expanded and threw out their branches, there were always Setons, or their descendants such as the Earls of Huntly, who were engaged in political or military activity. The "auld enemy" was a danger to be constantly reckoned with and ever present in the minds of those whose estates lay on the roads North from the Border; and the experiences of the successive Lords Seton in this respect compelled them not only to be at all times ready to defend themselves but to endeavour to influence the affairs of the country in the two directions of revenge for past inroads, or prevention of new ones.

Thus, in 1388, Sir William Seton, grandson of the defender of Berwick took part in the raid into England which ended in the encounter of Chevy Chase; fourteen years later he was taken prisoner at Homildon Hill, along with his son John. (1)

At Homildon Hill in 1402 a "John Seiton" was one of the Scots who were killed.

Similarly, in the North, that branch of the family in which was created the Earldom of Huntly was, with

1. Major: History of Greater Britain VI. Chap. VIII. p. 340.

varying measure of success in different generations, energetically occupied in maintaining the King's peace, as far as this was possible among a nobility which barely admitted allegiance to any Stewart. In the process they certainly benefited themselves greatly and became the dominant family in the North; but they only accomplished this by unceasing readiness to resort to arms - At Harlaw, that Clan feud based on an agrarian dispute which has been wrongly interpreted as settling the relative positions of Celt and Saxon or Highlander and Lowlander, Sir Alexander Seton first Lord Gordon was wounded. At Arbroath in 1445 and at Brechin in 1452 Lord Gordon's son, the first Earl of Huntly took part in the actions; and both the brothers of the latter were killed. At Sauchieburn in 1488 the second Earl and his son, in defence of James III, were on the losing side, and continued in arms for some time afterwards.

During the 15th century the family was making itself felt in many directions, and, at its close, Lord Seton and the Earl of Huntly were both prominent figures at Court, and personae gratae with the King.

They shared his downfall at Flodden. Here George Lord Seton, Sir James Seton of Touch and John Seton of Parbroath were killed, and the Earl of Huntly took an important part in the action but escaped - Several of the Earl's near relations were also among the killed.

For many years afterwards, when the country was in turmoil and English troops overran it, the family took its share of evil and good fortune. In 1542 Seton and Huntly were on the Border watching the movements of the English Army under Norfolk; and in the same year Huntly defeated an English column at Haddonrig. At Pinkie, in 1547, there was another holocaust of Scotsmen, in which at least three of the Setons of Parbroath were killed and the fourth Earl of Huntly was taken prisoner; Lord Seton, on this occasion does not appear to have been present.

But it was with the advent of the reformation, and



all that movement involved, that the position of the Setons became increasingly complicated. Catholic by religion, and connected with France and the French Court by education and sympathy, they soon found themselves opposed to the Protestant Lords and involved in trouble of every sort. They consistently supported the Queen Mother, Marie of Lorraine, and the French party and energetically opposed the English party in the State, and suffered materially in consequence.

In due course, when the young Queen landed in Scotland, the Setons and Gordons naturally ranged themselves on her side against the Protestant Lords of the Congregation. Most unfortunately, through a series of misunderstandings carefully exaggerated by her bastard half brother Lord James Stewart, afterwards Earl of Moray, the Queen's faithful subject the fourth Earl of Huntly was forced into a position of active hostility towards her, and suffered irreparable disaster. At Corrichie, in 1562, where the Gordons were defeated by the Royal Forces, the Earl was taken prisoner with two of his sons. He himself died immediately of apoplexy and thus escaped the execution which befell his son John; but, for a time, the family lay under the sentence of attainder. The younger son Adam Gordon was pardoned and lived to heap coals of fire on the Queen's head by his gallant defence of her interests in the Highlands in 1570 to 1572 against her rebellious subjects. For this he was duly forfeited.

In spite of this initial disaster of 1562 the Gordons were loyal to the Queen throughout her uneasy reign. They were, like Lord Seton, in opposition to Moray, Morton, the Knox party and the Reformation generally.

It was to Seton Palace that the Queen fled after the murder of Rizzio, and again after the murder of Darnley; and with George Lord Seton, she was on terms of great friendship. Similarly the young Earl of Huntly was one of the very few of the nobility in whom she could place any real confidence. When she was imprisoned in Loch Leven Castle, after the flight of Bothwell,

she was accompanied into captivity by Marie Seton. The Queen's escape was brought about to a large extent by Lord Seton who took her first to his Castle of Niddrie, and then to the rendezvous at Hamilton. In the battle of Langside which followed Seton and two of his sons were captured and imprisoned; and the Queen, in her flight to England, took with her Marie Seton and kept her as her companion in English prisons for many years.

When Seton was released from his imprisonment, at the Queen's urgent request, he went abroad and busied himself in endeavouring to obtain assistance for her, and acted as her unofficial ambassador in France and the Low Countries. It was not until it had become quite clear that neither France nor Spain was prepared to undertake active operations in Scotland or England on behalf of Queen Mary that he returned and made his peace with the new ruler of the country.

During the seventeenth century the family had its full share of the troubles which followed on the conflict between the reformed Church and the Crown. Many of them - excepting the Gordons, who remained loyal to the old religion - had adopted the Episcopal form, and were, in consequence, marked out for persecution. Under the force majeure of circumstances some even signed the Declaration of Faith; but, it must be admitted, that that indicated no real change in their outlook.

On the other hand the Eglinton and Dunfermline branches, for a time at least, threw in their lot with the Covenant. The storm broke in 1639 with the first Bishop's war. In the North the Gordons and the Aberdeenshire Setons found themselves opposed to the forces of Argyll and Montrose. Shortly after the action at the Bridge of Dee, at which James Seton of Pitmedden was killed, Huntly was taken prisoner; Aboyne however continued a desultory conflict.

Later, at Marston Moor in 1644, we find the Earl of Eglinton and one of his sons fighting as Covenanters, and another son, afterwards seventh Earl, on the Royalist side.

When Montrose abandoned the Covenant and embarked



on his meteoric campaign in support of the Crown, the Gordons and also George Lord Seton, eldest son of the Earl of Winton, accompanied him. At the battle of Alford on 2nd July, 1645 Lord George Gordon was killed, and in the following year the Marquis of Huntly was captured and subsequently executed, and his estates handed over to Argyll. George Lord Seton was taken prisoner at Philiphaugh and died, after protracted confinement, worn out by hardships.

Later again, in 1648, Alex. Seton Viscount Kingston served in the Scots Army against the English Parliamentary forces, and was besieged at Tantallon Castle in 1651; in the same year the Eglintons were fighting in the Royal Army at Worcester.

Cromwell revenged himself on those who had fought against him. Huge fines were imposed on them and their estates brought to ruin. Winton, Kingston, and Eglinton were practically reduced to beggary.

During the reign of Charles II the Earl of Winton, Kingston, and some of the Setons of Cariston were engaged at Rullion Green and Bothwell Brig suppressing the risings.

At the Revolution the family had to face the problem of adherence to the Stewarts or acceptance of the new line of succession. By this time it had grown too large, and was too much concerned in the everyday pursuit of earning a competence, for uniformity of views on the subject. The main line and most of the cadet branches had suffered much in the past in their effects, through following a succession of Lost Causes; and the response to the call to arms was not such as it had been during the time of Charles I and the Cromwellian troubles.

Nevertheless we find James Seton fourth Earl of Dunfermline joining Claverhouse and taking a distinguished part in the action at Killiecrankie. For this he was attainted and forfeited and compelled to flee abroad. He was received by the exiled King with great coldness, and died in circumstances of penury.

At the same time the Duke of Gordon held the Castle of Edinburgh for the King against the Government Forces. When compelled to capitulate, through lack of ammunition, he too went abroad, and received no thanks from James. He had sufficient interest however, through his wife, to escape attainder, but his remaining years were embittered by the suspicious attitude of the Government and the Church Authorities.

Finally the opportunity occurred in 1715 for the family to take part in the attempts to restore the old regime. In 1715 many members of the family took part, with disastrous results to themselves. The fifth Earl of Winton, the last of the main line of the family, was attainted and sentenced to death, but escaped abroad. James Seton third Viscount Kingston, and Sir George Seton of Garlestone Bt., were attainted, John Seton of Lathrisk and George Seton of Barns were forfeited; Archibald Seton of Touch was successful in escaping abroad and was subsequently pardoned; and the second Duke of Gordon, who was taken prisoner after Sheriffmuir, was pardoned.

The 1715 completed the wreck of the family, and, with the exception of the Gordons as stated, and of the Eglintons who fought on the Hanoverian side, the whole of the higher honours of the family were lost - the Earldoms of Winton and Dunfermline and the Viscounty of Kingston.

In the later effort in 1745 a few of the family took part, and they generally as individuals. A McWilliam Seton, a nonjurant minister, was imprisoned for preaching a "rebellious" sermon, and was in Montrose Jail from 19 May to 28 August 1746. James and Alexander Seton, of the Cariston branch, were captured at Culloden, and subsequently pardoned; the former, a lad of fifteen being badly wounded. Another James Seton of Belshes, was imprisoned and forfeited. There were also unidentified members of the Lathrisk branch such as Christopher Seton, merchant in Methil, John Seton, baxter of Kennoway, Fife, Andrew Seton, chapman of Alyth. All of

these appear to have escaped, though one Robert Seton was dangerously wounded. "Seton the Paymaster" is also referred to in a letter by the Prince to the Duke of Perth, dated 8 Nov. 1745. Of the Gordons Lord Lewis alone, without much encouragement from his father, turned out with a following and did what he could.

From this time onwards the history of the family, sadly reduced in number of its surviving branches, has ceased to present much of interest. It has had its day; rising into prominence under David I it served the Bruce and the Stewarts with much eagerness and some success; - and, incidentally, when the position of affairs at home rendered absence abroad advisable, successive generations of younger sons served the French Crown in the Scottish Guard, and the States of Holland, Gustavus Adolphus and others.

It is inconceivable that the future should hold out many prospects to the family. Neither Crown nor Church are taken seriously to-day, and personal loyalty is not the fashion. But the survivors, few as they are, may still take an interest, though a purely academic one, in the history of a family which, over a long period, was prodigal of effort and undeterred by knowledge of the fact that many of the ideals it followed and the cause it championed were already lost.

THE DISTAFF SIDE.

A noticeable feature of histories and biographies is the small attention that is paid by their writers to the women of the families concerned. The achievements of men, their aspirations, their motives and their character are minutely considered and appraised, and, as far as is consistent with truthfulness, success is partly ascribed to the man himself and partly to the generosity of his father in presenting the necessary qualities to his son. Family historians have in fact conspired to keep the women folk of their subjects in the background, and to ignore the possibility of mothers and wives having any influence on men's careers.

Much that is obscure in the history of a family might be made clear if we knew as much about men's mothers and wives as we do about their fathers. To attain to such knowledge is often impossible, as in those days, the distaff side counted for very little, and family records rarely go beyond brief statements of who a man married and how he disposed of his daughters.

As a matter of fact a man's dominant characteristics, the ones which affect his career, are inherited either from his father or from his mother - no "dominant" feature is likely to be resultant of both father and mother. An ambitious energetic woman married to an ordinary douce man will transmit her peculiarities to some of her sons and daughters, but probably not all of them; precisely the same thing occurs when the father has dominant characteristics - some of the sons and daughters inherit them and others do not. And it is fair to assume, in tracing out the history of a family over a long course of years, that at least half of the qualities which came out in individual members, and made for success or failure, were inherited from their mothers.

Important as is a man's mother, it would be unsafe to ignore the influence on him of his wife.



A man's wife may "proprio motu" exert a tremendous influence on himself and his career; his actions, good or bad, may indeed be actuated entirely by her. But, and this is a most important point, she, in exercising her influence may really only be acting partly consciously, partly instinctively, as a representative of her own family. Many a man, no matter what his position in life, thinks he is taking an independent course of action when he is really playing the part marked out for him by his mother-in-law. To him History awards the credit or the blame, which, if we knew more, are due to her.

The influence of their mothers, wives and wives' relations on the History of the House of Seton is a most fascinating study; and so important was that influence that it deserves a good deal of attention.

Finally a man's daughters may, at least by their marriages, materially affect their father's career. A mere reference to the history of the family will show what care the mediaeval father exercised, under the general direction no doubt of his wife, in selecting husbands for his daughters. The selection made might recoil on himself in a manner he never anticipated and make or mar his prospects.

The practice then, so commonly followed if not actually encouraged by biographers, of treating a family history as a record of successive males, all more or less similar to their own fathers, is one that may be regarded as absolutely inconsistent with what we know.

Unfortunately limitations of space preclude any but a hasty survey of the "distaff" factor in our history.

In the history of the family of cadet branches as well as of the main line, the women played almost as important a part as the men. By their own and their daughters marriages the Setons bound themselves, generation after generation, to certain lines of policy; and, though it is not always quite easy to determine in a particular case whether the policy was "post hoc" or "propter hoc", it may fairly be said that, with

their own inherited tendencies and those of their wives, no other course of action, no different careers could have been expected. Women and men - they mutually influenced each other, and nearly always in the same direction as their preceeding generations. And they must have known, women as well as men, that in their blind adherence to certain ideals they were playing a losing game. The Seton women - mothers, wives, daughters saw their men folk killed in battle, attainted, imprisoned and ruined generation after generation; but they never appear to have used this influence to get them to change their outlook on life. They accepted it, though all these misfortunes recoiled on themselves.

Perhaps the men may pride themselves on having been very remarkable characters to have kept their women in this frame of mind.

The family connexion with the Royal House of Scotland is of course one of the most obvious of the reasons for the unswerving loyalty of its members through a period of 450 years.

Commencing with Robert Bruce, we find his sister Lady Christian Bruce marrying Sir Christopher or Sir Chrystall de Seytoun, about 1301. Again, coming to the Stewarts, William, Master of Seton, who was killed at Verneuil in 1424, had a daughter Catherine who married Alan Stewart of Darnley. This Darnley's son John became the first Earl of Lennox and great grandfather of the husband of the unfortunate Queen Mary. George, 3rd Lord Seton, son of the same Master of Seton, married Lady Margaret Stewart, daughter of John Earl of Buchan, who was grandson of Robert II. It is not surprising to find that the children of the two men who laid down their lives in France in that brief and glorious campaign were subsequently married; and the marriage is of itself enough to account for the friendship between the third Lord Seton and his wife's cousin James II.

About the same time George, 2nd Earl of Huntly

married Princess Annabella Stewart, sister of the same King. One of his daughters by this marriage, Margaret, married the Earl of Bothwell, ancestor of Queen Mary's third husband. Again, Alexander 3rd Earl of Huntly married Jean Stewart, daughter of the Earl of Athole, who was half brother to James II. It is not surprising in these circumstances to find James III taking refuge in 1488 with his uncle the 2nd Earl of Huntly, or Alexander the 3rd Earl trying to raise a force to avenge the murder of that unhappy monarch. At Flodden George 4th Lord Seton was killed alongside his kinsman James IV, and Huntly himself kinsman of them both, commanded part of the force.

In the Marian period we find the same thing happening; Lady Elizabeth Gordon, daughter of the 4th Earl of Huntly, married John Stewart 4th Earl of Athole, a kinsman of the Queen; Hugh, 3rd Earl of Eglinton, whose mother was a Seton, married Agnes Drummond, whose mother was a natural daughter of James IV, and the outcome of this marriage was a daughter who married the Earl of Winton. The intermarriage of these families and their connexion with the Royal House must certainly be taken into account when reviewing their attitude towards contemporary affairs.

Of the great families into which the Setons, of the main and cadet lines alike, married one of the most important was that of the Hamiltons. In 1455 Lord James Hamilton threw over the Douglasses, who were a thorn in the side of successive Stewart Kings, and rapidly rose to power. He married Mary Stewart, the sister of James III and was created first Lord Hamilton. His grandson, the second Earl of Arran was one of the most remarkable men of his time. On the death of James V he was next heir to the Crown after the little Queen Mary, and for eight years was Regent of Scotland. In 1551 he surrendered his charge to the Queen Mother, Mary of Lorraine, and was made Duke of Chatelherault by the French King. The Seton family were closely connected with this Earl of Arran. George,



5th Lord Seton, married his niece or cousin; Alexander Lord Gordon, Hugh Earl of Eglinton, and George 5th Earl of Huntly, all married daughters; and his son Lord Claud Hamilton married Lord Seton's daughter. Considering Arran's relations to the Queen, it is evident that, if for no other reason, these men were all forced to take the part they did in the tragic history of the Martyr Queen.

The connexion between the 2nd Earl of Huntly and the Earls of Errol too is interesting. He married the daughter of the first Earl, his sister Lady Elizabeth Gordon married the second Earl, his daughter Lady Isabel the third Earl. Finally George, 3rd Earl of Winton, married the daughter of the 8th Earl who was deeply concerned along with Huntly in the "Spanish Conspiracy" of 1592-3.

With the Hepburn Bothwells too the family was connected by marriage. George 3rd Lord Seton married Janet, the daughter of the 1st Earl; his kinswoman Margaret, daughter of the 2nd Earl of Huntly, was wife of the 2nd Earl who was killed at Flodden; and Jean, daughter of a later Huntly, married the 4th Earl of Bothwell, who divorced her to marry Mary, Queen of Scots.

The intermarriages of the Scottish nobility - a numerically small class - account no doubt for the remarkable prevalence among them of divorces or, rather, of nullity suits. Taking as an example - perhaps an extreme one for even those days - the first two Earls of Huntly had no fewer than three divorces between them. In each case not a shadow of blame attached to the lady concerned. They were said to be within the prohibited degrees of consanguinity, or some purely technical plea was raised against them - the real motive being to marry someone else. A typical case is that of the first wife of the 2nd Earl, Elizabeth Dunbar, Countess of Moray. James II forfeited the earldom and gave it to his son David. This no doubt affected Huntly's prestige, but the reason for the divorce as



given in the records of the family was that the marriage was illegal because Huntly's uncle Lord Crichton was already husband of this unfortunate lady's sister. This fact can scarcely have been unknown to Huntly before his marriage. Similarly the divorce by Alexander Seton Lord Gordon, afterwards first Earl of Huntly, of Egidia Hay on the grounds of consanguinity - for which he had already a papal dispensation - was really actuated by his desire to marry Elizabeth Crichton, daughter of the Chancellor.

It must be regretfully admitted that the Setons of those days often took wives as pawns in the political game - and regarded them as such. And in their many and complex matrimonial ventures they always found means either to create the obstacles required or to remove those that were inconvenient.

In the selection of their wives the early Setons were sometimes entirely at the disposal not only of their parents but of the King. Thus we find King David Bruce bestowing the heiress of Parbroath, Elizabeth Ramsay, on Sir Alexander Seton of Berwick fame, and he is said to have bestowed her on John Seton.

Another aspect of the distaff side of the family is the fact that many of its members were not content with the holy state itself, but entered into "handfastings" and other extra-marital relations, which were the vogue in those times. Sir Richard Maitland refers to the fourth Lord Seton as being "sumpait (somewhat) gevin 'to voluptie and plesour" and as having had "mony bastard barnis" viz: four sons and four daughters. The term sounds harsh to us nowadays, but did not in those remote times necessarily involve any stigma. The more euphemistic expression "natural" child was frequently employed by contemporary chroniclers. Wherever there was a "handfasting" there was no question of the issue being regarded as bastards in the ordinary sense. Sometimes both terms "bastard" and "natural" are found together as describing an individual.

The Register of the Privy Seal contains many "precepts for legitimation" of the children of these irregular alliances.

## FEUDAL TENURES.

An interesting sidelight on the manner of life of the landed proprietors of Scotland at various times is afforded by the charters granting or confirming to them their estates.

In 1169 William the Lion confirmed to Philip de Settune "the land which was his fathers, namely Seytune, Wintune & Winchelburgh to be held by himself and his heirs from me and my heirs in fee and heredity;" then follows the nature of his rights "in wood and ar-able land, in lands and waters, in fields and pastur-ages ... cum sacca et socca, tholl et them, et infange-thief cum furca et fossa".

In other words he had the right of jurisdiction (sac) investigation (soc), the right to punish thieves caught within his jurisdiction (infangethief) and the right of the gallows and the pit. He also had a right to the amercements (fines), escheats, goods and chattels of persons convicted in his Baron court.

In return for this grant the holder Philip and his heirs had to render to the King and his heirs the service of one soldier. This "return" is called a Reddendo.

In 1322 we find Robert I giving a charter to "Sir Alexander of Settone, knight", granting that he and his heirs should have the lands of Settone "in liberam forestam et warrennam", i.e. in free forest and warren, for ever. This implied that the holder enjoyed the same rights as did the king in his own forests; he could prohibit hawking, hunting, fishing, woodcutting and the like, and could inflict fines on persons found committing these acts. The usual fine in such cases was £10 Scots.

In the same year, by another charter, the King conferred on Sir Alexander the lands of Barns "in liberam Baroniam" or free barony, which implied the most privileged land tenure possible at the time. Apart from

the rights he had over the lands and the judicial powers over the residents the holder of a free barony had many other rights which could be commuted into cash payments. There were taxes on the labour, in the shape of so many days ploughing, sowing and harvesting and carriage of the baron's crops; free shoeing of his horses at the smithy, taxes on marriages, the "herizeld" or right to take the best horse or ox of a deceased tenant, and fines for various offences. A "bludwite" was a fine imposed when there was a quarrel among his tenants resulting in bloodshed, which went to the baron. The "reddendo" in this case was the service of two bowmen for the army.

The possession of a grant of land "in free barony" meant a great deal. As Skene says (*De verborum significatione*) "in this realme he is called ane Barronne" "quha holdes his landes immediatlie in chiefe of the" "Kinge and has powers of pit and gallows". Commenting, however, on this statement Macphail (*Highland Papers* ii. *Glassarie Writs*) considers the true definition of a baron is that given by Sir George Mackenzie viz. "a" "baron properly is he who is infeft (i.e. invested with) with power of pit and gallows 'fossa et furca'" (*Criminal Law* p. 417), and that it does not, or did not originally depend on the property being held direct from the King.

It will be observed that although the words "in liberam baroniam" are not included in the Charter of 1169 to Philippe de Seytoun reference is made to the power of pit and gallows, thus indicating that the lands of Seytoun, Wintoun & Winchelburgh had the status of a free barony. Later, in 1322, the term "free barony" is used in the charter by Robert Bruce of Barns to Sir Alexander Settone, knight. Maitland refers to the "grit dungeon" at Seytoun which was "re-pairit" by the Lord Seton who fell at Flodden; and there is documentary evidence (*Lord Fountainhall*, MS. in *Advocates Library*) that "two of the bailyes came" "out to their Provost (i.e. 5th Lord Seton) at Seton;



"and he, finding they were accessory to the conspiracy, "imprisoned them in the pit of Seton ... which was a "dreadful contumely". It is evident therefore that the Setons kept up their dungeon for other than ornamental purposes.

A term which appears occasionally in the early records is "Miles" which must be regarded as having a special significance, outside that of "soldier". It certainly came to be regarded as equivalent to "knight". Some authorities, such as Skene, consider a "miles" held his lands of barons instead of, as the barons did, of the King. Macphail, however, whose opinion on matters such as this may be regarded as final, says that "while the Miles, like every other able bodied man in "1240, was a soldier, he might or might not be what we "call a knight, or the owner of a knights fee. He was "the owner, as opposed to the tenant of lands. He "might hold these either from the Crown or from a subject, and what distinguished him from a baron was the "different and lower jurisdiction which he possessed". (Highland papers ii).

In the same manner as an estate was given or confirmed "in free barony" a town could be raised to the status of a "free burgh". In 1324 Robert Bruce gave a charter to "Sir Alexander de Setoun, knight", granting that he should have his town of Settone in free burgh, with all the rights of such free burghs, including a market.

Many years afterwards, Cockenzie, another Seton possession, was similarly raised to this dignity.

The amount of the "Reddendo" or return for these feudal tenures varied. The lands of Seton, Winton and Wincheburgh as stated above, were held by Philippe de Seytoun "by the service of one soldier". For the lands of Barns, on their elevation to a free barony in 1322, the reddendo was the service of two bowmen for the army. When Sir Alexander de Seytoun got a charter of donation of the lands of Collodune from John de Dunbar, Earl of Moray about 1339 he had to "render therefor one pair of

"gilded spurs"; and in 1381 Sir William de Seytoun granted sundry lands in Tranent to Patrick Gray who, with his heirs, had to render one pair of white gloves or two pennies of silver<sup>x</sup> yearly "in name of blench "ferme".

Reddendos such as gloves, spurs, falcons etc. were common, and were called "Blench duties". In course of time they were often commuted or converted into cash transactions.

As late as 1552 the Privy Seal Register contains a reference to a charter to George Lord Seytoun and his wife of the lands and barony of West Niddry, "rendering "therefor the sum of one penny of silver at Whitsunday, "in name of blench ferm".

Other very common forms of Reddendo were those kinds of State service comprised in serving on assizes, juries, courts etc.

In charters there frequently appear the following expressions:

"Sectam ad curiam nostram", i.e. a "suit" to make up the numbers for assizes and courts.

"Servitium debitum et consuetum" i.e. military service due and accustomed.

In some of these charters reference is made to land measurements of the property concerned. Thus in 1322 Sir Alexander got "one plougate of land of the "Queensferry", and in 1526 John Seyton of Meldrum was given by James V. various lands including six "oxgates" of Auchlevin etc. The exact area represented by such measures fluctuated at different periods. An "oxgate" was the amount an ox could plough and was about 13 acres; a "husband land" was the land of a man who kept two oxen, i.e. 26 acres; four husband lands or 104 acres were a plough gate. Such lands were let to tenants, and the rent varied as much then as it does

<sup>x</sup>These silver pennies or "sterlings" were the universal medium of exchange and commerce for many centuries in the north of Europe.

now. In the time of the Alexanders a ploughgate rented at 3 merks or 40 shillings; a "merkland" or  $34\frac{2}{3}$  acres rented for a merk and so on.

In later times a ploughgate gave the tenant a parliamentary vote.

The rents or "maills" or "fermes" were not always, or indeed usually, paid in cash, but in kind. Thus in 1600 the Gordon Rental shows all kinds of methods of payment, - "silver maill", oxen, sheep, bolls of oatmeal, linen cloth etc. One of the Strathbogie farms of 200 acres paid a "ferme victual" of 4 chalders 8 bolls of meal, 4 wedders, 24 chickens, a "reik hen" i.e. a hen exacted for every chimney, and a load of peats. The average value to the superior of a Strathbogie ploughgate was from £1: 1.- to £2. 8.-. The lordship of Huntly at that time brought in £1777 in cash and 2385 bolls of meal.

It is obvious that the holder of a large estate would find himself in possession, after the harvest, of far more meal, meat and food supplies generally than he could possibly consume. His great object then was to turn the stuff into money. To enable him to do this it was necessary to get permission from the King to hold a market in his own territory.

In 1324 Robert I granted to Sir Alexander de Settone, knight, that he should have "his toun of "Settone in free burgh,<sup>\*</sup> with a market to be holden in "the same on each Lord's day". This gave the advantage of securing the attendance of the whole population of the burgh at the market, and was a custom which was not disapproved of by the Church. The Reformation, after much resistance by those interested, swept away these Sunday markets. In the Presbytery records of Haddington in 1589 Lord Seton (afterwards Earl of Winton) is accused of "allowing the Sunday mercat to continue", and was threatened with excommunication if he

<sup>\*</sup> It was however ruled that the inhabitants should not have the right to buy skins or wool for manufacture, - a distinction which indicates the difference between a "free" and a Royal burgh. (Chalmers).



did not take immediate action.

Many of the charters in the Great Seal and Privy Seal Registers are Charters of Confirmation, - that is to say, on the death of the holder of a dignity or property they had to be confirmed to his successor. Thus the first charter of Seytune, Wintune and Winchelburgh in 1169 to Philip de Settune was a confirmation by the King, William the Lion, of the "terram quae fuit patris sui". In 1170 the same King granted a charter of Confirmation to Philip's son Alexander. In 1322 King Robert granted to Sir Alexander of Settone, knight, the lands of Settone "in free warren & forest" and the Lands of Barns "in free barony". In 1410 these grants were confirmed to "John de Settone, knight"; and so it went on in successive reigns.

There were limitations on the freedom of movement, out of the country, of the nobility. In April 1510 a licence under the Privy Seal was given to George third Lord Seton "to pass to any place out of the realm ... and to remain furth thereof for the space of 3 years and 40 days ... during which time the King takes under his protection all the possessions lands etc. belonging to the said lord", and excusing him from attendance on "justice or chamberlain ayres or any sheriff courts during that time".

The obligation of military service was binding on every one who was physically fit and official permission for absence was always necessary; references to this appear in the Privy Seal Register. Thus in 1527 a "precept of remission" i.e. a pardon appears in favour of George Lord Seytoun for absenting himself from the Royal army at Solway, and another to William Seytoun. On the other hand in 1548 we find one "Mr Alexander Seytoun" being presented with all the goods pertaining to one David Bruce who had remained away from the "oist (host) "proclomit to convene upoun Gladismuir". Even physical unfitness did not necessarily completely release a man from his military obligation, for in 1566 John Seytoun of Auchinhuif was permitted to remain at home from "oistis, raidis etc". providing always that he send an able man in his stead.

The nature of military service varied with the financial position of the individual. Thus, in the 15th century, every man whose land yielded a rent of £20 had to provide himself with a suit of mail, battle axe, sword and spear; poorer persons had to provide proportionately less equipment. (Acts of Parl. Vol. 1, p. 752).

Properties held from the King could not be disposed of without permission; and entries of permission being granted appear in the Register of the Privy Seal. Thus on 22nd April 1509 a licence was given to Sir Alexander Seton of Touch Fresel, knight, to sell £20 worth of his lands of Tullybody to whomsoever he pleased, and similar entries appear repeatedly.



Part I.THE MAIN LINE OF SETON.Chapter I.THE ORIGIN OF THE FAMILY.

Mr. George Seton, in his work "The Family of Seton", commences with the following statement:

"Chalmers, in his Caledonia (1517) states that there were in England two considerable families named Say, who derived their descent from the same Norman original. A member of that ancient race who came to Scotland - according to Sir Richard Maitland, either the father or the grandfather of Dougall de Seton - assumed Saytun or Seyton as his surname on receiving a grant of certain lands in East Lothian".

It will be shown below that Dougall de Seton, believed by Maitland, Kingston, Chalmers and George Seton to be the earliest known member of the family, is actually placed 100 years too early in the chronological list of the Setons.

That part of Chalmer's statement, approved by Mr. George Seton, may therefore be summarily rejected as demonstrably inaccurate historically.

THE SAY MYTH.

Neither Maitland, nor his continuator Lord Kingston, made any reference to this family; nor did Sir Robert Douglas in his original (1764) edition of the Peerage of Scotland. It is not until the later (1813) edition of that work by Woods that the Say connection is referred to; and, even then, it was introduced on the

authority of Chalmers.

Chalmers gives no charter reference or other evidence in support of his statement; and the only point Mr. Seton can bring forward is the insufficient one that the tinctures of the Say escutcheon and that of the Setons, were "or" and "gules".

In the absence of any authority for this alleged connection it cannot be accepted even tentatively as an explanation of the origin of the family.

### The Norman Source.

The ultimate source of the family is lost in obscurity, as indeed is that of almost every Scottish family.

The modern Scots Peerage, by far the most accurate authority, refers to the existence of a fragment of a manuscript in the British Museum, apparently of the sixteenth century, which states that

"their surname came home with King Malcolme  
"Camoir foorth of England".

Malcolm "Ceannmor" was born about 1031 and was killed at Alnwick in November 1093.

Like all the leading families whose activities make up the history of Scotland they are claimed by other nations as really belonging to themselves.

France puts in a strong claim for them as Normans, and Michel, like the authorities above mentioned, traces them to the Norman family of Say; he considers that the Hays, Grays, Melvilles, Grants, Bruces, Campbells and Cheynes were also of French or Norman in origin; and that they accompanied David I to Scotland about 1124.

That the Setons came from abroad and migrated to Scotland by way of England is no doubt correct; that they were part of the Norman invasion is almost certainly not true.

On the contrary they were probably Flemings who settled first in Northamptonshire, thence spread to

Yorkshire and Cumbria, and finally to Scotland.

In the course of their movement north they left offshoots settled in the English counties; and, as surnames did not then exist, they can be traced in their passage only by the place names they left behind them everywhere.

The English Crown certainly claimed them as English subjects, basing that claim on their possession of landed estates in different parts of the country. Some of them had lands in England even after they had acquired a fresh domicile in Scotland; and these, when successful English invasions of Scotland took place, were compelled under feudal law to swear fealty to the English King. This, of course, accounts for the apparently vacillating attitude of so many of the noble families of Scotland in regard to the two countries, during the thirteenth and fourteenth centuries.

The operation of the feudal system was perfectly well understood on both sides, and the individual was aware of the fact that, holding lands in both countries, he was bound to lose those which lay in the defeated area; any active manifestation of sympathy with the National Party in Scotland was certain to be visited by immediate confiscation of his English estates or of those which were unfortunately in the line of an invading force; and vice versa.

The position is clearly expressed by Barron in his illuminating work on "The Scottish War of Independence" as follows:-

"Oaths of fealty were largely mere formalities,  
 "binding only as long as they could be kept  
 "effective, and extorted by force or under com-  
 "pulsion. Breaking them was not regarded as  
 "very heinous, and clergy, nobility, and all  
 "classes, broke them in both countries, when  
 "the occasion arose".

It must be remembered, too, that at the death of David I in 1153, Cumberland, Durham, Westmorland and Northumberland were part of Scotland; and many Scottish

families owned lands in them. Thus the Douglasses and Bruces were technically Englishmen, and had to do homage for their estates in England; and even King David, as Earl of Northampton, had to take the Oath of Fealty in 1127.

Authorities on the History of the Family of Seton.

The earliest writer on the Family of Seton is Sir Richard Maitland of Lethington, born in 1496, grandson of George second Lord Seton. Educated at St. Andrews and in France as a lawyer, he took his seat on the Scottish Bench as an Extraordinary Lord of Session on 14th March 1551, having been knighted a short time previously.

In October 1560 he lost his sight, but, in the following year, he became an Ordinary Lord of Session, and, on 20th December 1562, was made Keeper of the Privy Seal, an office which he held until 1567. As a Lord of Session he took the territorial title of Lord Lethington, and, in spite of increasing infirmities, carried on his duty until 1st July 1584. He died 20th March 1586 at the age of ninety,

"a maist unspotted and blameless Judge, and

"valiant, grave and worthy Knight" <sup>1</sup>

In addition to legal works, and poems, Sir Richard compiled the "History of the House of Seytoun", dealing with it up to November 1559; the manuscript of this work is in the Scottish National Library.

In the Prologue of this work he states that he was asked by his grandfather, who died in 1549, to "collect, "gadder, and set furth" the family history, "be ressoun "that I knew the evidentis and wrytingis of his hous". Having completed the work he dedicated it to George fifth Lord Seton.

Sir Richard's work was carried on by Alexander Seton Viscount Kingston, born 13th March 1620, fourth son of George third Earl of Winton. This continued the history up to 1687. Lord Kingston dedicated it to

1. Scots Peerage V. 291-293.



his nephew George fourth Earl of Winton.

These two manuscripts were published in Glasgow by the Maitland and Bannatyne Clubs in 1829.

Another manuscript of Maitland's work, without Kingston's continuation, is in the possession of the Hays of Duns, and was printed in Edinburgh in 1830. According to the preface, this Duns edition "seems to have been written by George third Earl of Winton" and differs in many points from the original. It also contains a number of extracts from an account of the family said to have been compiled by Nisbet.

Another valuable source of information regarding the early members of the family is a collection of abstracts of charters belonging to Sir James Balfour<sup>1</sup> now in the British Museum. This collection contains notes of many Seton writs, a note of which was given to Sir James by George third Earl of Winton in 1628 "for the proof of his antiquity".

They are printed, from a copy made by Cosmo Innes, in the George Setons "History of the Family of Seton"<sup>2</sup> and another manuscript copy was recently extracted for Sir Bruce Gordon Seton Bt.

Another recognised authority is "The Peerage of Scotland" by Sir Robert Douglas Bt. of Glenbervie, published in 1764 and revised in 1813 by John Wood.

Finally there are several modern works, such as George Seton's "Family of Seton" (1896), and the article dealing with the Earls of Winton in the "Scots Peerage" (1911) by the Hon. Robert Boyle. Innumerable references to members of the family appear in the histories of other Scottish families, and in the works on the general history of Scotland.

Speaking generally all genealogists have based their works on Maitland, excepting the modern Scots Peerage. They occasionally alter his order of the early Setons, and rarely give authorities for their statements; and they appear to have ignored completely

1. Brit. Museum. Harleian MSS. 4693. fol. 11.a.

2. Seton: Family of Seton II. 842.



the Public Records, and the Chartularies of Religious Houses, Counties and Families, as invaluable sources by which to check Maitland.

Maitland, as an exact authority, is certainly not above criticism, and frequently confuses individuals and generations. This was perhaps due to the fact that, as he says, he was suffering from failing eyesight when he wrote, and that his main object was

"to occupy time, and to eschew ydilnes of mind,

"so that the debilitie of my bodie be mair

"portabill",

and on two occasions he asks his readers to "excuse my ignorance".

He certainly made some glaring mistakes, which have been perpetuated by all subsequent writers except Boyle in the Scots Peerage.

As an example of this, he commences with Dougall, said to have lived in the reign of Alexander I (1107-1124), and to have been

"as appeiris, grandson to him that first resauit

"the surname"

He then shows the second as Seher, who succeeded Dougall,

"quhilk I believe was his ffather, becaus I find

"it convenient wyth the tyme",

and considers that he lived in the reign of David I (1124-1153).

Lord Kingston amplifies this statement by adding that Dougall married Janet "Quintsey", daughter of Roger, Earl of Winton, Constable of Scotland.

But, as Roger Earl of Winton only became Constable in right of his wife Helen of Galloway in 1234, and only succeeded his mother the Countess Margaret in the Earldom of Winchester after her death in 1235, it is obvious his daughter could not have married Dougall, - who lived a century earlier.

Nevertheless the chain of error has been carried on through the works of succeeding historians.

It is in fact essential to draw up a new list of

the early Setons, containing only individuals for whose existence there is documentary evidence in support of Sir Richard Maitland and Lord Kingston.

An enormous amount of research in regard to the early Setons has been done by Colonel Robert Seton Marshall, and his statement of the position, as summarised below, is probably as accurate as can be hoped for.

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#### The Origin of Alexander de Settone, primus.

It is now necessary to endeavour to establish the identity and the origin of the Alexander de Settone who was the earliest member of the family of Seton in Scotland of whom there is definite record.

The exhaustive researches of Col. Robert Seton Marshall have, to a great extent, cleared up the position; and the following statement is probably as accurate as it is possible to be, having regard to the absence of surnames and the paucity of documentary evidence, at that time.

#### The Family of Dunbar.<sup>1</sup>

It is necessary in the first place to notice, briefly, here the family, which, at a later date took the surname of Dunbar, "the Castle on the Hill" in East Lothian.

This family was of Celtic origin, and the earliest recorded member of it was "Crinan the Thane", who lived between 975 and 1045. He married Bethoc, eldest daughter and heir of Malcolm II King of Scots,<sup>2</sup> (1005-1034).

By her, Crinan had two sons Duncan I and Maldred or Malcolm.

1. Scots Peerage III. 239.

2. Scots Peerage I. 1, note 1.

Duncan succeeded his grandfather Malcolm II on 14th November 1034, and was murdered by Macbeth on 14th August 1040. Crinan was killed in 1045 in attempting to avenge his death.

Duncan I married a nameless lady, kinswoman of Siward, Earl of Northumberland; and by her had two sons, Malcolm III "Ceannmor". and Donald Ban, successively Kings of Scots.

Crinan's second son, Maldred or Malcolm, is believed to have become King of Cumbria<sup>1</sup> - than, and for long after, part of Scotland, - which included Strathclyde; and he became closely linked to both districts by marriage and other ties. He appears to have owned, in his own right, the Allerdale district of Cumberland. Little is known of Maldred, but it is probable he was killed in action in 1045 at the same time as his father Crinan.

Maldred married Ealdgith or Algitha, daughter of Uchtred, Earl of Northumberland, and, by her, had at least two sons, Gospatrick and Maldred.

It is from the first of these that the family of Dunbar descended.

#### Gospatrick, son of Maldred. 1040-1073 ?

This son of the Celtic Maldred was related to the King of England, his mother Aelgifu or Elgiva being daughter of Aethelred II.

About 1067 he was made Earl of Northumberland by William the Conqueror, partly on payment, and partly because his mother was daughter of the late Earl.<sup>2</sup>

In 1068, however, he threw in his lot with Edgar the Etheling in the plot against William, and, on its failure, flew with Edgar to Scotland. He was, for a time at least, deprived of the earldom. Having made his peace with William, however, he returned to Northumbria and remained faithful for a short time, and was

1. Scots Peerage III. 240.

2. Scots Peerage III. 241.

restored to his earldom.

William however regarded him as a dangerous subject, and in 1072 again deprived him of his Earldom. Gospatrick then took refuge in Scotland with his cousin Malcolm III (Ceannmor), who gave him Dunbar, with surrounding lands in Lothian. He died shortly after this time.

The name of Gospatrick's wife is unknown, but he had at least six children - among these were:-

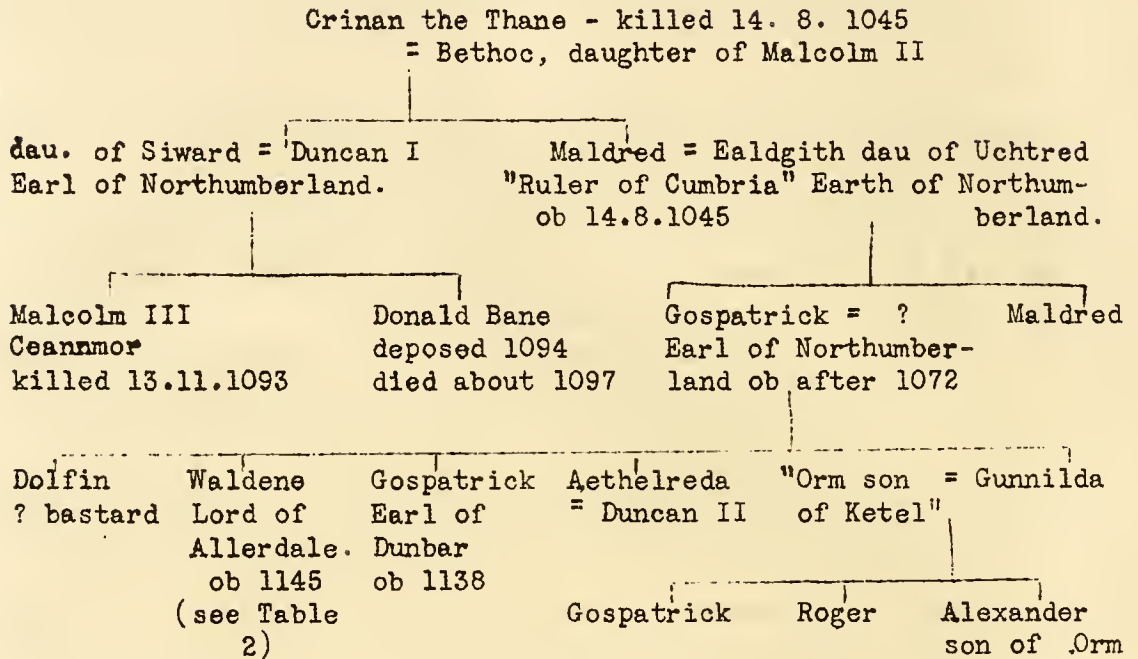
1. Dolfin, said to have been a bastard.
2. Waldene, who inherited from his father the barony of Allerdale in Cumberland, which was confirmed to him by King Henry I. He died in 1145,<sup>1</sup> leaving descendants shown in Table II below.
3. Gospatrik who became Earl or Lord of Dunbar<sup>2</sup> and progenitor of the Earls of Dunbar. From Henry I he had a charter, about 1100, granting him a large tract of land in Northumberland between Wooler and Morpeth, described as the "Serjeanty of Beauley", which was held of the English Crown for duties which were practically those of the later Wardens of the Marches. He also had adjoining lands of Berwick and Eglingham. He was probably killed at the battle of the Standard, in 1138.
4. Aethelreda married, about 1094, Duncan II.
5. Gunnilda married "Orm son of Ketel", by whom she had a son "Alexander son of Orm";<sup>3</sup> and he had a son Alexander, subsequently styled "de Seton".<sup>4</sup>

By this marriage Gunnilda became ancestress of the Scottish family of Seton.

1. Denton: Cumberland 52; Nicholson & Bruce: Westmorland & Cumberland" II. 147.
2. Scots Peerage III. 246.
3. Early Yorkshire Charters. Farrer. 1. 194.
4. Register of Kelso (Bannatyne Club) 153; Lawrie: Early Scottish Charters 179. 424.

The following tables are necessary to clear up the position:-

Table I



(see Table 3)



TABLE 2.

"Earl Gospatrick" = ?  
ob. ? 1072/3.

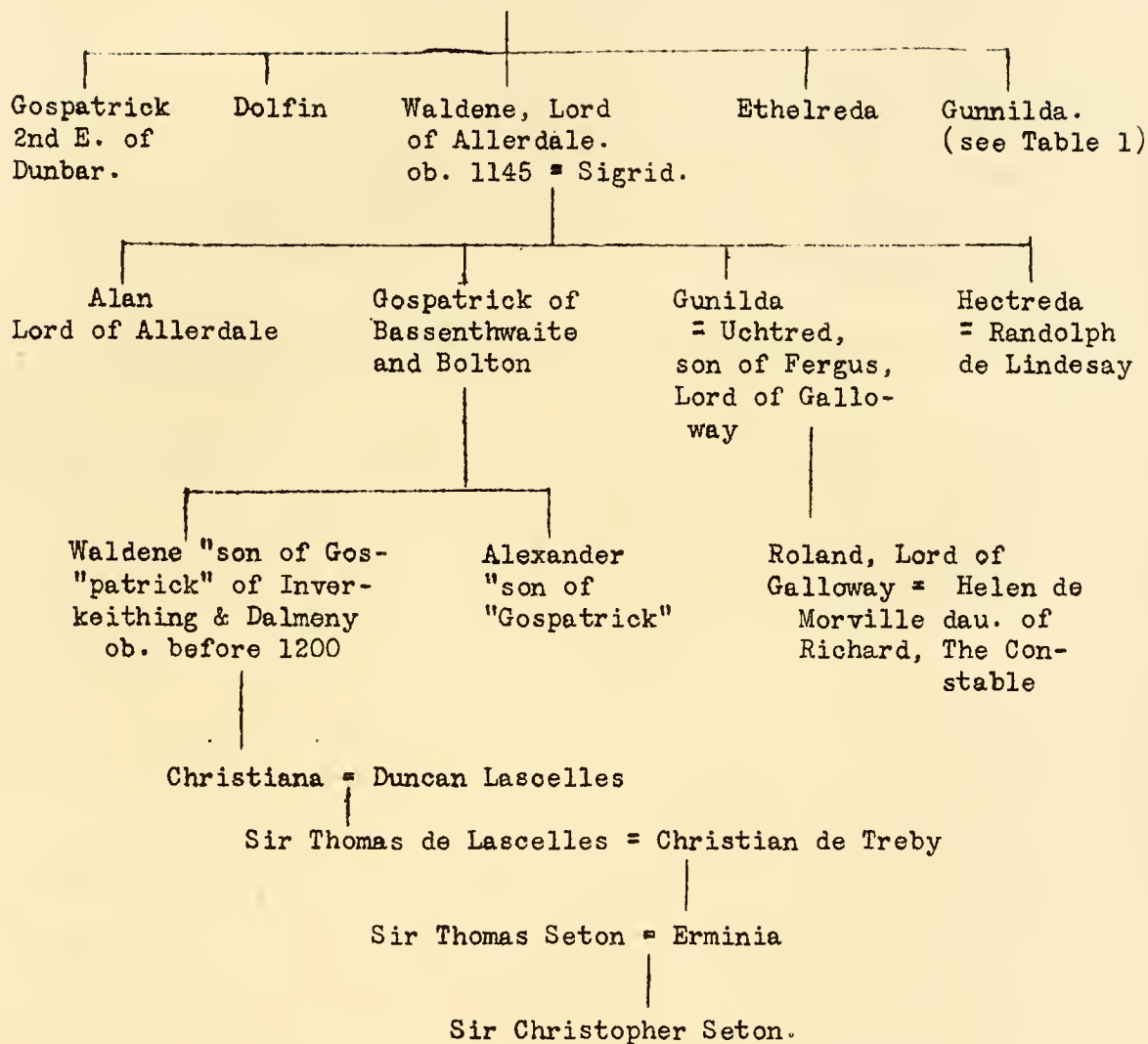


Table 2 shows that Gunnilda, daughter of Waldene, Lord of Allerdale married Uchtred of Galloway, and had a son Roland, Lord of Galloway. Roland married Helen de Morville, daughter of Richard de Morville, hereditary Constable of Scotland, and, through her, himself succeeded to that office.

Again Waldene, Lord of Allerdale's sister, also called Gunnilda, married Orm son of Ketel, who was settled in Cumbria, and had three sons, one of whom was Alexander "son of Orm". It will be shown below, in Table 3, that from one of the three sons descended the Alexander from whom the Scottish family of Seton are derived.

The family of Orm, son of Ketel, son of Eldred.

Having shown the descendants of Gospatrick, Earl of Northumberland, and the early Earls of Dunbar it is now necessary to consider another family, almost certainly Flemish in origin, which was known as having settled in that part of Scotland known as Cumbria during the eleventh century.

Cumbria now includes Cumberland and Westmorland.

Of the early history of this family it is not possible yet to be very certain; but they appear to have been derived from the earlier Flemish indwellers in England, a prominent member of whom was "Walter the Fleming" of Wahull.

Colonel Robert Seton Marshall points out that this Walter bore the same arms as did the early Scottish Setons.

The earliest of this Cumbrian family on record was one Eldred, "of Workington", who is believed to have been a son of Ivo de Tailbots or Talboys, first Baron of Kendal, who married Elgiva, daughter of King Ethelred.

Eldred had two sons; the eldest was Gilbert "de Lancaster", whose descendants, as shown in Table 3, became connected by marriage with the de Morvilles,

Constables of Scotland and the Lords of Galloway.

The second son was Ketel, of whom nothing is known except that he had a son Orm, who was styled "son of Ketel".

Orm "son of Ketel" had the estates of Flemingby or Flimby<sup>1</sup> - a name suggestive of his nationality - and Workington. He married Gunnilda, daughter of "Earl" Gospatrick, at one time Earl of Northumberland and later Earl of Dunbar. His wife had, besides Gospatrick second Earl of Dunbar, another brother Waldene or Waltheof, Lord of Allerdale; and from him apparently, on her marriage, Gunnilda had the lands of Commerton and Seton in Derwentward.<sup>2</sup>

Orm's name ceases to appear in the Pipe Rolls after 1156, so he probably died about that time.

He left three sons:-

1. Gospatrik "Lord of Seton in Derwentward", so styled when, in 1177, he was fined 500 merks by Henry II for having surrendered the Castle of Appleby, of which he was Governor, to William the Lion, King of Scots.<sup>3</sup> In the relative document he is spoken of as a "greyheaded old Englishman" - an indication that Cumbria was at that time in the possession of England. He died in 1179.

His sons will be mentioned below.

2. Roger who married Amabilis, granddaughter of Uchtred Lord of Galloway. By her he had a son William who was styled "son of Roger de Seton" and was witness to a charter by Roland Lord of Galloway about 1196/1200.<sup>4</sup> This William married Gunild, daughter of Alan of Cope-land, and had three sons, all of whom bore the definite surname of "de Seton".<sup>5</sup> This shows that the surname had become established in the family, and that they had

1. Nicholson & Burn (1777): Westmoreland & Cumberland II.107.

2. Register of St. Bees 61.

3. Nicholson & Burn: Westmoreland & Cumberland 1. 267.

4. Diplomata Scotiae p. 94. Tab. LXXXI.

5. Register of St. Bees 272, 470.

adopted the place name of Seton in Cumbria.

3. Alexander, who in 1175 was styled "son of Orm" and "de Alwardelsia".<sup>1</sup> He also appears as witness to a Yorkshire charter, dated between 1183 and 1186.<sup>2</sup>

The sons of Gospatrick "Lord of Seton in Derwentward".

a. Thomas "of Workington and Seton" in Cumbria succeeded his father; and, in 1185, he had a grant of the Lordship of Culwen in Galloway (now Colvend, Kirkcudbrightshire) from his second cousin Roland, Lord of Galloway.<sup>3</sup>

This is apparently the first definite instance of a migration of a member of this family northward from Cumbria into Scotland.

b. Gilbert about the same time appears to have had a similar grant of the lands of Southwick in Galloway, and assumed the territorial designation "de Southwick", "de Southaie" or "de Suthaye".

c. William de Treby.

d. Adam "the Clerk".

e. Alexander - He had no estate in Cumbria, and, as shown below, may have been the "Alexander de Settone" found in Lothian between 1144 and 1153.

Who was the "Alexander de Settone" in Lothian?

When David "the Saint" succeeded to the throne of Scotland in 1124 he had, by his wife Matilda, daughter and heiress of Waltheof Earl of Huntingdon, the "Honour of Huntingdon", with lands in six English counties, the Earldom of Northampton during his life time, and a rather shadowy claim to that of Northumberland through Matilda's grandfather Earl Siward.

1. Farrar: Early English Charters 1. 59.

2. ib ib 1. 194.

3. Transactions of Cumberland & Westmorland A. & A. Socy 1879/80. 5. 183.



He was also Ruler or Earl of Cumbria and Lothian.<sup>1</sup> Having regard to the condition of Scotland it was natural that he should take with him from his southern territories some of his own Norman and Flemish followers, and settle them in his new Kingdom. This he did; and one estimate of the numbers so settled in Scotland is a thousand men of substance.

Summing up the information given above, and bearing in mind the difficulties or identification arising from the fact that, unlike the Normans, the Flemish immigrants had not yet adopted surnames, it is now possible to conjecture with a reasonable degree of probability who was the first "Alexander de Settone" of the Scottish family of Seton, and how he appears as a tenant in chief of the estates of "Seytune et Wintoun" "et Winchelburgh" in Lothian in 1144/47 and as witness to Royal Charters between 1144 and 1153.

The choice lies between two individuals, namely,

a. Alexander, son of Orm "son of Ketel".

b. Alexander, son of Gospatrick "Lord of Seton in Derwentward" - "the grey headed old Englishman".

Colonel Robert Seton Marshall favours the latter.

On the other hand Alexander "son of Orm" was, on his father's side, cousin of Avicia de Lancaster, wife of Richard de Morville, Constable of Scotland, and a great power at Court; and on the side of his grandmother Gunnilda he was closely related to Gospatrick Earl of Dunbar.

It is perhaps safe in assuming that this Alexander "son of Orm" migrated to Scotland when, or soon after, David I succeeded his brother Alexander I as King of Scots in 1124; and that, through his family influence with the Dunbars, and the de Morvilles, and the Lords of Galloway, and possibly through personal friendship with the new King, he was given a grant of Crown Land in Lothian.

Having transferred to that estate the name of the old family estates of Seton in Cumbria it would have

1. Hume Brown: Hist. of Scotland 1. 75.



become his territorial designation, and finally his surname, in Lothian. Alternatively it is conceivable that, as Maitland suggests the estate in Lothian already had the place name Seton; if so it would then be merely a coincidence that from a Seton in Cumbria he should have gone to an existing Seton in Lothian.

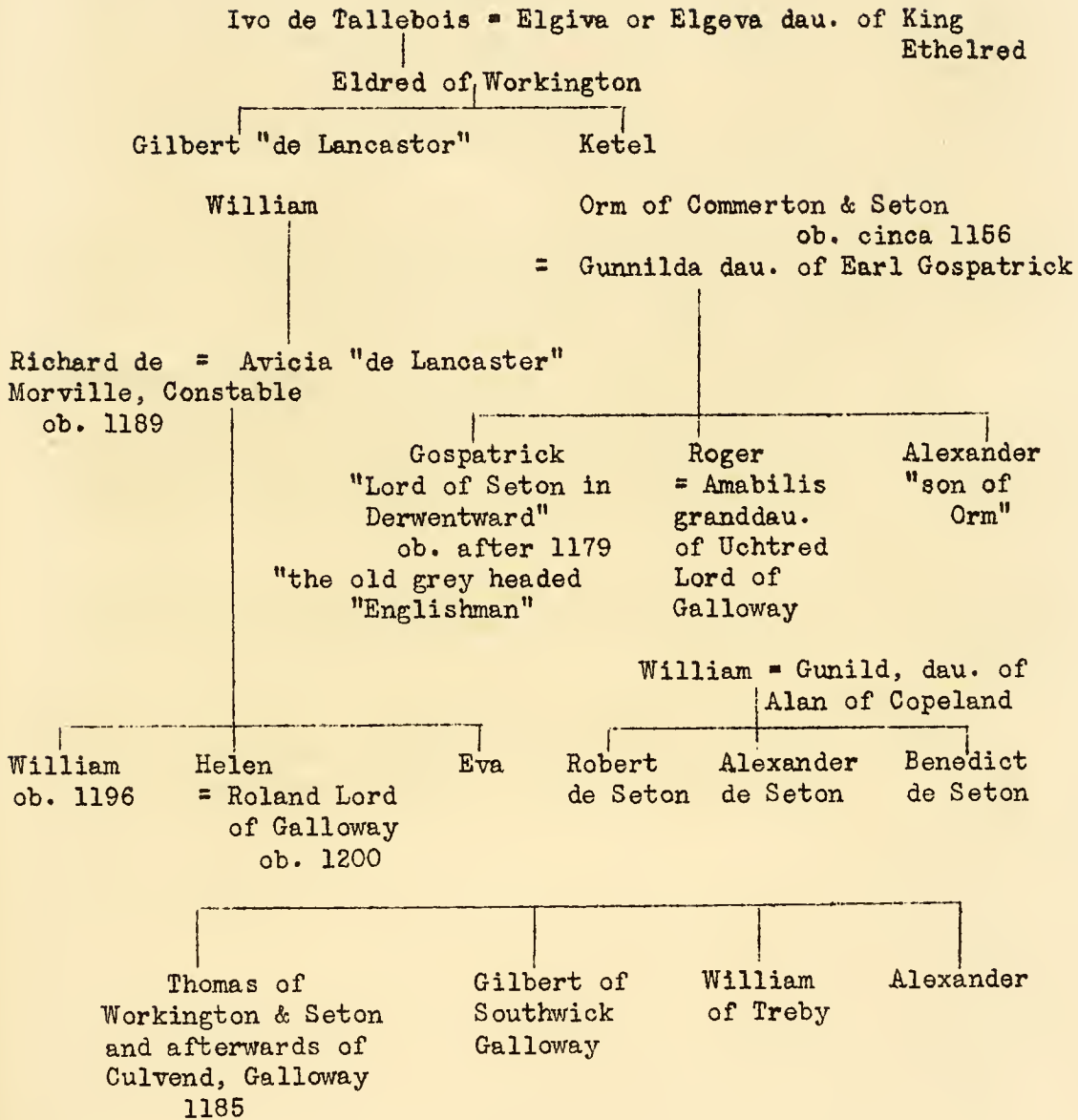
This is the answer to the question who was the "Alexander de Settone" of Seton in Lothian, adopted by the present writer. It may appear far fetched, but no more so than the connection between the Northumbrian and Cumberland families - such as the de Morvilles, the Gospatricks Earls of Northumberland, and others, who ultimately became Scottish.

Nor is there any difficulty about the place name of Seton. It existed in Northamptonshire and in Yorkshire before the compilation of the Domesday Book. It obviously existed in Cumbria when, about 1100, Gunnilda daughter of Earl Gospatrick brought it as a wedding portion to Orm, son of Ketel. And it was definitely a place name in Lothian in a charter whose date must have been between 1152 and 1178.<sup>1</sup>

In the Table 3. the relationships and connections of Orm son of Ketel are shown.

1. Laing Charters No. 2. quoted in Lawrie's Early Scottish Charters 405.

TABLE 3.



An attempt has been made above to show how the Setons of Scotland were derived from Setons who were settled in Cumbria, and how many of them, being connected by marriage and otherwise, with Celtic as well as Norman families, gradually migrated northwards, until, in the person of Alexander son of Orm, they became domiciled in Lothian.

It is shown later how, at the same time, there were Setons in Yorkshire who appear fitfully in Scottish history; the most distinguished of these was the Sir Christopher Seton, "gud Sir Chrystall", who married the sister of Robert Bruce.

The connexion between these two branches has yet to be traced; and already there are indications that they both came originally from earlier Setons who had settled in Northamptonshire and Rutlandshire, where they were identified with place names such as Scotun and Wintoun.

But they themselves came from abroad; and the ultimate problem is to trace them to the Fleming who came over to England, not necessarily with the Conqueror but about the same time.

That chain of evidence is nearly complete, through the exhaustive researches of Colonel Robert Seton Marshall. At the time of writing this, however, it is not available.

Chapter 2.THE EARLY SETONS IN SCOTLAND.  

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Alexander de Settone. (I). Primus.

(temp. David I 1124-1153).

It is assumed here that this individual was the son of Gospatrick "Lord of Seton in Derwentward", and grandson of Orm of Commerton and Seton whose wife was Gunnilda daughter of Earl Gospatrick first Earl of Dunbar.

Alexander's father was alive in 1156 but died soon after. He is possibly the Alexander who appears fourth on Maitland's list of the early Setons; there is no doubt of his existence at this time, or of the fact that he was styled "de Settone".

The original edition of the Douglas Peerage (1764) regards him as son of Seyer or Secher; but the author is obviously doubtful about the position of Dougal and Secher, and says

"Alexander is the first we have mentioned in any authentic document, and from him we proceed to deduce the descent of this noble family".

At what period he settled in Lothian and became "de Settone" can not be stated; nor is it known how or when he acquired the lands of Seton, Winton and Winchburgh from the Crown, as no charter of the grant has survived. The absence of documentary evidence on this latter point, however, is by no means unusual; there is, for example, no known charter of lands in favour of King David's life long friend Hugo de Morville, Constable of Scotland.<sup>1</sup> It is probable David conferred them on Alexander in accordance with his policy of attracting Normans and Flemings to Scotland and settling them there.

1. Lawrie: Early Scottish Charters 273.

It must be remembered that, until David's death in 1153 the Earldom of Northumberland and the Lordship of Cumberland were part of the realm of Scotland; when he placed individuals like Alexander in Lothian, therefore, he was merely transferring his own subjects to a different part of his own country.

As a younger son Alexander would naturally look outside the paternal domains for a permanent property; his grandmother, Gunnilda, daughter of Earl Gospatrick, was a relation of David; and by marriage he was connected with the Lords of Galloway and the de Morvilles. So he had widespread interests in Scotland.

In 1144 he appears as "Alexander de Setun" as witness to a charter by Gillemor, son of Gilliconnel, granting half a merk to the Church of St. Mahute of Lesmahagow. 1.

This Gillemor belonged to the family of Roland, Lord of Galloway, who had granted the Lands of Culven in Galloway to Alexander's brother Thomas.

One of the witnesses to this same charter was Adam, steward to Patrick, Earl of Dunbar, who may have been another of Alexander's brothers; if so, he was the fourth of the sons of Gospatrick who left Cumbria and settled in what is now Scotland.

Alexander appears again, as "Alexander Setone", as witness to a Royal Charter dated about 1150 by which King David conferred upon Walter de Ridale, a Yorkshireman, the Lands of Whitimes (Whittuns) and half of Lillisclive in Roxburghshire. 2. The fact that he appears in such a charter may be taken as indicating that he held his lands from the Crown "in capite". 3. On this occasion the other witnesses were men of importance, - Walter de Lindesay, Walter son of Alan,

1. Register of Kelso 153; Seton: Family of Seton II 842.

2. Lawrie: Early Scottish Charters 179.

Denmilne Collection. National Library 15-1-18 p 76 No.105.

3. Anderson: The Scottish Nation 1. 319.



Andrew Bishop of Caithness, Richard de Morville, and Alexander de St. Martin, a vassal of the Countess Ada, who held lands lying alongside Seton.

A third Charter reference to Alexander occurs before 1153, when he granted two ploughlands of the "toun" of Niddrie in West Lothian to Ada Forrest (? Adam Forrester).<sup>1</sup>

No other references to Alexander appear in charters or records. As a Crown tenant however it may be presumed that he was a participator in David's incursions into England.

According to the Douglas Peerage he died "in the end of the reign of Malcolm IV", i.e. about 1165. But, as the charter confirming the Seton estates to his son Philip was probably dated between 1177 and 1185, Alexander may have been alive after 1165.

The name of his wife is unknown.

#### Contemporaries of Alexander de Settone I.

Four individuals existed at the death of Alexander, all of whom were related to him, and for whose existence there is charter authority. It is, however, impossible to say what the degree of relationship was.

Their names were:-

Philip de Settune, Bertram (or Bartine), Thomas, Dougal. Maitland omits Thomas; the Douglas Peerage (1813 Ed.) omits Bertram and Dougal; the modern Scots Peerage mentions them all, but makes no attempt to establish any relationship between them.

1. Robertson: Index 57; Penney, Linlithgowshire 85.

For purposes of comparison they are tabulated as follows:-

Maitland - Glasgow Ed.	Douglas Peerage 2nd Ed. 1813. Vol. II 638	Scots Peerage
<p>1. Dougall Seytoun</p> <p>2. Seher Seytoun</p> <p>3. Philip</p> <p>4. Alexander ob. 1211 "first of the name"</p> <p>5. Bartine</p>	<p>-</p> <p>1. Seher de Say</p> <p>2. Alexander de Seton</p> <p>3. Philip de Seton</p> <p>4. Sir Alex- Thomas ander</p> <p>Note: The original (1764) Edn. follows Maitland in regard to the existence of Dougal as the first name.</p>	<p>-</p> <p>--</p> <p>1. Alexander de Seton</p> <p>2. Philip de Seton</p> <p>3. Sir Alex- Thomas ander</p> <p>4. Bertram ?</p> <p>unlocated: Dougal Seyer de Seton</p>

It is obvious that reconciliation of these tables is impossible. Maitland's Dougall or Dougal and Seher, as will be shewn later, are placed a century too early, and he completely omits the Alexander dealt with above, unless the fourth individual on his list is meant to represent him.

The Douglas Peerage and the modern Scots Peerage agree in showing Philip as son of Alexander I; also they show Thomas as probably younger son of Philip.

The essential difficulty, however, is the position of Dougal. Maitland certainly puts him a century too early.

On the whole, in spite of the perpetuation of Maitland's errors by so many authorities, it has been deemed wise to follow the modern Scots Peerage.

Philip de Settune.

temp. Malcolm IV 1153-1165  
and William the Lion 1165-1214.

All authorities except Maitland agree that Philip succeeded Alexander I; he was probably his son, though it cannot be affirmed beyond doubt.

There is a charter by William the Lion, given at Stirling, which is reproduced in facsimile in George Seton's book.<sup>1</sup> This is of particular interest as being the earliest confirming the lands of Seton, Winton and Winchburgh to an individual. It runs as follows:-

"Wilhelmus, Dei gratia Rex Scotorum, episcopis  
"abbatibus, comitibus, baronibus, justiciariis,  
"vicecomitibus, ministris et omnibus probis totius  
"terrae suae, clericis et laicis, Salutem.

"Sciatis, presentes et futuri, me concessisse,  
"et hac Carta mea confirmasse, Philippo de Seytune  
"terram quae fuit patris sui, scilicet Seytune,  
"et Wintune et Winchelburgh, tenendam sibi et  
"heredibus suis de me et heredibus meis in feodo  
"et hereditate;

"in bosco et plano, in terris et aquis, in  
"pratis et pascuis; cum sacca et socca, tholl et

1. Seton: Family of Seton l. 68.

"them, et infangenthief, cum furca et fossa, libere,  
 "quiete, plenarie et honorifice, per servitium  
 "unius militis"

In other words this Charter confirmed to Philip the lands which had belonged to his father, to be held of the Crown, with the customary feudal rights and privileges, "by the service of a single soldier".

Later writers have improved this charter by the interpolation of a name before "father" to suit their own theories.

Thus the Harleian MSS. of Seton documents, referred to previously, as reproduced in George Seton's book<sup>1</sup> inserts the word "Saheri", making it read "quae fuit Saheri patris sui"; and, perhaps on this authority, John Riddell, in a copy of the first edition of the Douglas Peerage annotated by him, inserts the same word,<sup>2</sup> thus perpetuating an error.

On the other hand the 1813 Edition of the Douglas Peerage departs from the original charter by inserting "Alexandri" before "patris". The fact of the relationship is probably correct, but the interpolation is immoral.

The date of the Charter is doubtful. The Harleian M.S. copy inserts "anno regni nostri 5", that is 1170; the Scots Peerage however considers its real date to be between 1177 and 1185.<sup>3</sup> The witnesses to this Charter are of interest. They were "David fratre meo", Earl of Huntingdon; Earl Duncan of Fife, justiciar; Richard de Morville, constable; Walter Olefer (Oliphant) justiciar; Alan the dapifer; Walter de Barclay, chamberlain; Richard de Humphrville and William de London (Lundin).

In or about 1184/1185 Philip witnessed a Haddington Charter by William the Lion confirming the Church of Strathardolf to the Monastery of Dunfermline.<sup>4</sup>

1. Seton: Family of Seton II. 842.

2. ib ib II. 940.

3. Scots Peerage VIII. 560.

4. Registrum de Dunfermline (Bannatyne Club) No. 73.



His co-signatories were Earl Duncan, Gilbert Earl of Strathearn, Robert de Quincy, Philip de Vallonis, chamberlain, Walter "Olifard", Hugo Giffard, and his neighbour Alexander de St. Martin.

This particular charter is of interest as bringing in the place name of Seton. Between 1153 and 1175 Alexander de St. Martin had a charter from the Countess Ada in which reference is made to lands "on the East side of Seton". If this charter was dated before the one confirming the lands of Seton, Winton & Winchburgh to Philip it suggests that Philip's father was "de Settone" from the holding of the land, and not from the fact that the family had a property of that name in Cumbria.

Nothing further is known about the property except that there was a Church in Seton which was rated annually at 12 merks in the taxation of Lothian in 1176.<sup>1</sup>

#### Marriage.

In his original history Maitland does not mention Philip's wife; in the preface of the Duns edition of his work, however, it is stated, on the authority of Nisbet's account of the family, that he married Alice "daughter of Waldevus, Earle of March".

Of this marriage there is no documentary evidence.

The Scots Peerage<sup>2</sup> considers it possible that he married a lady of the Norman family of Corbet in Malkerstoun, who held Drayton in Northamptonshire under David I.<sup>3</sup>

This Lady, Matilda Corbet, whatever the name of her first husband was, was wife of William de Ridale in

1. Anderson: Early Sources of Sco. History II. 522.
2. Scots Peerage VIII. 561. Note 2.
3. Lawrie: Early Scottish Charters 277.



1199, and had certain lands from him.<sup>1</sup> It is certain she had a son Sir Alexander de Setone (see below), which is practically a proof of the fact of her having first married a Seton; and, if so, it may well have been Philip.

Philip de Settone appears to have had issue as follows:

1. Sir Alexander, who succeeded.
2. Emma. She married Adam de Pollilway or Pol-lilsworth (Polwarth), and had from her brother Alexander two charters of lands of Beth in Fife. In both those charters she is styled "Soror mea";<sup>2</sup> so there can be no question as to her relationship to Alexander.
3. Thomas. See below.
4. ? Richard. The Douglas Peerage mentions an individual of this name as having witnessed a charter of Sir Alexander (II). As there is no further reference to him it is not possible to place him.

#### Death.

Maitland says Philip died in the 14th year of William the Lion, i.e. 1178/79. This is obviously incorrect as the charters above mentioned show that he was certainly alive in 1185; and he may have survived until 1195 when his son Alexander, secundus, had a charter of confirmation of the Estates.

1. Registrum de Melrose l. 141.

2. Liber S. Mariae de Melros l. 249.  
Scots Peerage VIII. 561.

Sir Alexander de Setoun, secundus.

(temp William the Lion 1165-1214)

Alexander II 1214-1249.

Alexander had a charter from William the Lion in confirmation of his father's lands, dated Forfar 26th June "in the 6th year of our reign", to be held by the service of one knight" as is shown by my charter made thereupon to his father.<sup>1</sup>

The witnesses were Hugo "my chancellor", William de Morvill, the constable, Saher de Quincy, Alan the "dapifer", Philip the chamberlain, William de Haia, Herbert the marischal and others. In this document he is styled "filio Philippi de Settone", which establishes his relationship and his position in the main line of the family,

The only difficulty is the date. The sixth year of William the Lion would be 1171; but there is documentary evidence of his father Philip witnessing a Royal Charter in 1184/5. The Scots Peerage considers the real date was 1195.

How old he was when he succeeded his father is not known; if however he is the Alexander de Seton who gave a donation to Dunfermline Abbey for the benefit of his soul, before 1246<sup>2</sup> he must have held the estate for over 50 years.

His name appears frequently in Royal and other Charters.

In or about 1216 he became security for his mother Matilda Corbet, who had married for a second time William de Ridale.<sup>3</sup>

Some time before 1219 he was witness to a charter by Seher de Quincy to the monks of Newbattle making a grant of land; the other witnesses were the Bishop of St. Andrews, Ingeram de Ballia, and Simon de Quincy.<sup>4</sup>

1. Scots Peerage VIII. 561; Harleian MSS. 4693 fol. 11.

2. Registrum de Dunfermelyn No. 178. p. 101.

3. Liber S. Mariae de Melros l. 249.

4. Ireland. Scottish de Quincy's (Progs. Soc.<sup>y</sup> of Antiquaries Scotland 1898) p. 280.

On 5th January 1219/20, as "Alexander de Settone", he witnessed a charter by Alexander II confirming certain lands to the Abbey of Inchaffray; and on 12th February 1225/6 he and Roger de Quincy witnessed a charter granted at Scone confirming to the Abbey of Kinloss all donations made by the King's predecessors.<sup>1.</sup>

On 23rd November 1225 he was one of the witnesses to the Royal Confirmation of the permission to hold a weekly market in Glasgow. In this document he signs his name "Dominus Alexander de Settone, Miles".

The style "Dominus", at this time; implied only a territorial lordship; that of "Miles", which came to mean "Knight", originally meant an owner, as distinct from a tenant, of land held from the Crown or a subject superior.

The use of these styles, taken with the fact that, in many of these charters, his co-signatories were men occupying the highest position indicates that Sir Alexander was himself a man of prominence in Court circles.

Between the years 1226 and 1246 his name frequently appears in charters.<sup>2.</sup>

In an undated charter Alexander conceded to his sister Emma and her husband Adam de Pollisworth, on their marriage, "all my land of Beeth Fleming". At a later date Emma restored the land to him, and he gave it to the Abbey of Dunfermline, one of the witnesses to the transaction being Thomas de Seton. The date ascribed to this latter has been 1246, but this is unlikely as the next charter in the Register is 1235.

The latest known reference to him is a charter by Roger de Quincy to Adam de Seton, giving the latter the ward of Agnes, widow of Alan de Fauside.<sup>3.</sup> This is ascribed to 1246, and Sir Alexander was a witness.

1. Registrum Moraviense No.5. pp. 457, 459;

Antiquities of Aberdeen II. 235.

2. 1227-1230 Chartulary of Solbray; 1233 Chartulary of Dunfermline; 1228 Charters of Holyrood p. 59 No. 71; 1246 Regist. Moraviense.

3. Scots Peerage VIII. 563.

Scanty as is the above information it is all that is known about Sir Alexander. He left however a Seal, which presents the earliest known Seton coat of arms. It is believed to be about 1216. A reproduction of it, showing three crescents and a label of three or five points, appears in George Seton's Family of Seton.<sup>1</sup>

#### Marriage.

The Duns edition of Maitland's history of the family and the Douglas Peerage say that Sir Alexander married Jean, daughter of Sir Walter de Barclay, the Chancellor. As, however, de Barclay was born about 1130 and became Chancellor in 1170, it seems unlikely his daughter can have been the wife of Sir Alexander, who died about 1246 to 1249.

Nor is it certain whether he had a family. There certainly is a reference to Bartine or Bertram who, in 1201, is styled "filis Alexandir de Settone". It is possible his eldest son was the Dougal whom Maitland and his followers have wrongly placed in the family tree.

The Scots Peerage, baffled by want of documentary evidence, ignores the possibility of his having had any sons, and considers that "for some generations" there is doubt as to the succession.

On the whole it is possible he had two sons:

1. Dougal.
2. Bertram or Bartine.

#### Death.

Maitland considers Sir Alexander died in 1211. This of course, in face of the charter evidence, must be wrong - unless two Alexanders followed each other in the period credited above.

There is no doubt an Alexander was witness to a charter by Roger de Quincy in 1246; and it is possible he lived until 1249.

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1. Seton: Family of Seton 1. 69; Laing: Catalogue of Seals 736.



At this point it is necessary to consider the position of six Setons who lived about the time of Alexander secundus or in the following generation.

Up to the present we have discovered that, at a time when surnames were just coming in, it is still possible to trace almost certainly three Setons, related to each other as father and son in succession.

These are:-

1. Alexander de Settone primus, who lived in the time of David I. It is assumed that he was the son of Gospatrick, and grandson of Orm of Commerton and Seton in Cumbria.

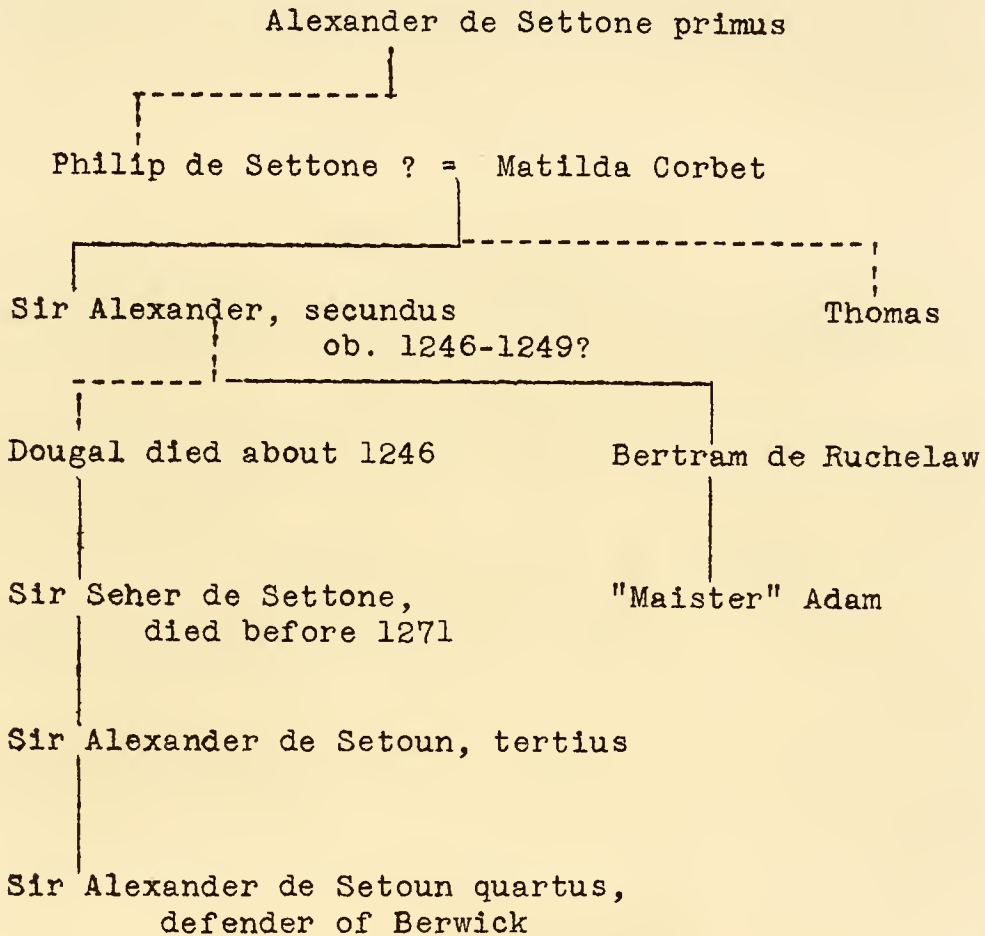
2. Philip de Settone, who lived during the reigns of Malcolm IV and William the Lion, i.e. between 1153 and 1214. He succeeded to the lands of Seton and Winton "which belonged to his father", between 1177 and 1185. And, though not quite certain, we may regard him as son of Alexander primus.

3. Sir Alexander de Settone secundus was son of Philip, and had a confirmation of the estates the date of which is now considered to be 1195.

There now remain to be considered Thomas, Dougal, Bartine (or Bertram), Sir Seher, Adam Seytoun, and, finally the Sir Alexander Seton tertius, father of the defender of Berwick and friend of Robert Bruce.



For reasons which will be given below it seems probable that their relationship to each other is as shown below.



Where the line is unbroken the descent is vouched for by charter authority; where it is dotted the relationship is merely inferred. Even in the case of these latter, however, it is thought that the inference is quite strong enough to stand though opposed to statements to the contrary made by the early authorities on the family, and heedlessly copied by later ones.

Even the above names do not exhaust the contemporary Setons. There is, for example, an unidentified Hugo de Seton who was witness to a charter in 1238;<sup>1</sup> also a Roger, contemporary with Alexander de Settone, primus, and who had a son William de Seton who married his kinswoman Gunild, daughter of Alan of Copeland.

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Thomas de Seton.

Although not mentioned by Maitland the existence of this Thomas is amply established by charters.

One of the great difficulties in tracing him is that his name, or rather, his style changed at least four times in the records which have survived; and, though he is never stated to be son of Philip de Settone he probably was so, and therefore younger brother of Sir Alexander de Settone, secundus.

Surnames were only gradually coming in in Scotland; the Normans had them at this time, but they were a later development in the case of men of Flemish origin.

The Register of Dunfermline has four references to him;<sup>2</sup> and, assuming these entries are arranged chronologically, he passed through the following changes of style:

Thomas Flandrensis  
 Thomas Fleming  
 Thomas Flandrensis de Seton,  
                                   "Seneschallus de Seton"  
 Thomas de Seton

No other reference to him has been traced; but a manuscript pedigree in the possession of the Setons of Mounie says that

"he is supposed to have got from his brother, Sir

1. Registrum Episc Moraviensis No. 107. 121.

2. Registrum de Dunfermelyn. Nos. 178, 182, 185, 187.

"Alexander, the lands of Winton, and, in accordance with the custom of the times to have adopted the name of Winton or de Winton".

This is interesting, and may account for the marriage many years later of the heiress Margaret de Seton to Alan de Winton.

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Dougal or Dugal Seton.

In spite of the positive assertions of Maitland, and those who blindly followed him, there is no reference to the existence of this Dougal until 1246; and even then he is mentioned merely as father of Seher de Seton.

Sir Richard Maitland describes him as follows:-

"I can nocht find ane proper name of him that resauit first the surname; bot the first proper name that I find is ane callit Dougall.

"This Dougall was sone or oy (grandson), as appeiris, to him that first resauit the surname, and was in the tyme of King Allexander, fyft sone to Malcolme Cainmore.

"Seher Seytoun succedit to Dougall, quhelk I believe was his faver, becaus I find it convenient wyth the tyme".

In the Duns edition of Maitland the following words are interpolated in the second paragraph:-

"quha maruit Jonet Quintsey, doghter to Roger Quintsey, Earle of Wintoun, Constabule of Scotland".

In the "Epistle Dedicatorie" addressed by Alexander Seton first Viscount Kingston to George fourth Earl of Winton, in his "Eik" or supplement to Maitland's work, dated 1687 the following appears:-

"Sir Richard begins your Genealogie att one Dougall Seton who was grandchild to him who firste tooke the name of Seton in King Malcolm Canmore's tyme, who reigned in anno 1064.

"This Dougall Seton married Jennet Quintsey, daughter to Roger Quintsey Earle of Wintone, Constable of Scotland; and was in the tyme of Alexander the First, who reigned in anno 1109.

"By which marriage it appears the said Dougall gott the lands of Winton".

Maitland's statement is incomprehensible, and that of Lord Maitland more so; but the repetition of the glaring misstatements so late as 1894 by George Seton in his Family of Seton is unpardonable.

Sir Roger de Quincy did not succeed to the Earldom of Winton i.e. Winchester in England, until the death of his mother the Countess Margaret in 1235.

The whole of the statements therefore regarding the date of Dougal are totally incorrect.

The only charter reference to him is in a grant by Roger de Quincy, Knight, Earl of Winton to Sayer de Settone "son of Dugal" of five shillings and six pennies yearly from the mill and mill lands of Tranent", given at Haddington.

This is one of the charters collected by Sir James Balfour from George third Earl of Winton and transcribed by him; it is now included in the Harleian collection in the British Museum.<sup>1</sup> Mr. George Seton, in reproducing it in his book<sup>2</sup> deliberately states that it is "twelfth century".

As a matter of fact the date was probably about 1246;<sup>3</sup> so all the above authorities were over a century wrong in their placing both of Dougal and Seher.

Who then was Dougal?

If he was dead by 1246 he might have been:-

1. a son of Sir Alexander de Settone, secundus
2. his brother,
3. his uncle, and therefore brother of Philip de Settone.

If he was his son, and if Sir Alexander really married Jean Barclay, it is, an interesting fact that

1. Harleian MSS. 4693. fol 11a.

2. Seton: Family of Seton II. 842.

3. Scots Peerage VIII. 562.



the names Dovenald, Donegal and Dougal occurred in the families of her father and of her mother Lady Eva of Galloway.

This may be a coincidence, but, as a possible indication of relationship, it should not be overlooked.

Maitland's statement, in the Duns edition, that Dougal married Janet de Quincy is interesting, though not supported by charter evidence. The difficulty is that, as far as is known, Sir Roger de Quincy had only three daughters, Margaret, Elizabeth, and Ela, who married respectively William de Ferriers Earl of Derby, Alexander Comyn Earl of Buchan, and Alan de la Souch or Zouch. Burke however suggests there was a fourth, Isabella, who was contracted to marry Hugh de Nevil.

It is however conceivable that, if Dougal did marry a Janet de Quincy, she may have been sister or aunt of Sir Roger.

The fact that Dougal's son was named "Seher", a de Quincy name, certainly supports the family tradition of blood relationship; and to this must be added the fact that since the time of Seher de Seton the main line of the Setons have borne as their crest a Dragon or Wyvern identical with the de Quincy cognisance.

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Bertram or Bartine de Ruchelaw.

Maitland says of this individual:

"Bartine Seytoun succedit to Allexander his father, and was in the tyme of the said King William; and deit in the tyme of King Allexander the second"

In the Duns edition the following additional remark is interpolated:-

"quha mareit Margaret, dochter to William



"Cumming, grit justice".

Sir Robert Douglas, who deponed on 1st Dec. 1769 that he had in his hands "the whole papers of the family" of Winton when he wrote the "Peerage of Scotland" omitted him altogether.<sup>1</sup>

In this case Maitland is perhaps right, at least in so far as his existence is concerned, as the Harleian Charters show that Bertram, son of Alexander de Settone, had a grant from Patrick of Dunbar, Earl of March, of the lands of Richelkellach (Ruchelaw) in East Lothian, which was confirmed by William the Lion, and was dated Stirling 22 February "seventh year of" the King's reign, which would have made it 1172.<sup>2</sup>

Modern authorities, however, such as the Scots Peerage, consider this date may be a mistake for "thirty seventh" year, or about 1201.<sup>1</sup>

In an undated Charter by Philip de Petcox he appears among the witnesses as "Berthine de Ruchelaw";<sup>3</sup> here he has abandoned his surname and assumed a territorial designation.

The Harleian Manuscript has also an undated Royal Confirmation of a charter to him by Patrick of Dunbar, of certain tofts in Tranent.<sup>4</sup>

Nothing is known of his marriage, but he had a son Adam. Maitland says he died between 1234 and 1249; so he may have predeceased his father.

1. Scots Peerage VIII. 562.
2. Harleian MSS. 4693, fol 11 a.
3. Registrum de Melros l. 178.
4. Harleian MSS. 4693 fol 10.

"Maister" Adam Settone.

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Maitland says:-

"Adame Seytoun, ane maister clerk, succedit  
"to Bartine his fader... and deit in the tyme of  
"Allexander the thryd".

The Duns edition interpolates:-

"mareit Janet Giffard, dochter to Heugo Lord  
"Yester",

while a note, ascribed to Nisbet describes this lady  
as

"Margaret, daughter to Hewgh Gifford ... whom  
"some call Lord Easter".

Douglas does not mention him at all in the second edition, though in the first (1764) he refers to a daughter of "Adam Lord of Seton" said to be shown in a manuscript history of the family of Keith.<sup>1</sup>

The Harleian Manuscript however has a copy of a charter dated about 1246 by Roger de Quincy granting to "Maister Adam de Settone" the ward of the land which belonged to Alan de Fawside, and the marriage of his (i.e. Alan's) son and heir and of Agnes, his relict.<sup>2</sup> The witnesses were Sir Alexander de Setone Knight, Bernard de Rippell, William de Bosco etc.

This Alexander was, presumably, Alexander secundus, Adam's grandfather; or, alternatively a later Alexander, tertius, son of Sir Seher de Seton.

The reference to the Fawside estate is interesting. Prior to 1246 it was held of Roger de Quincy, from whom the superiority passed to his son in law William de Ferreirs; it was forfeited by the latter in the War of Independence, and, as will be shown later, was then bestowed by Robert the Bruce on Sir Alexander de Seton in 1322.<sup>3</sup>

It is not known why Adam had no charter of his

1. Scots Peerage VIII. 562 note 10.

2. Harleian MS. 4693. fol 13b.

3. Seton: Family of Seton II. 843.

father's lands of Ruchelaw; some years later Patrick Earl of March granted them to "Alexander de Settonne" of that ilk", - the grantee presumably being Alexander tertius.

There is no record of the marriage mentioned by Maitland, or of any successors.

The date of his death is unknown, but if it was in the reign of Alexander III it must have been before March 1285/6.

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#### Sir Seher or Serlo de Settone.

There is no question that Seher was the son of Dougal. Like his father he has been wrongly placed by the family historians (see Dougal).

Maitland's cardinal error of placing Dougal and Seher as the first two in the succession has already been dealt with. George Seton, in his history, follows Maitland in stating he lived in the time of David I (1124-1153) and then informs us

"his Christian name was, no doubt, derived from  
"the de Quincys"

although no de Quincy was in Scotland for a long time later. Having misplaced him by a hundred years he has to find a later Seton bearing the name of Seher; and he does so by treating it, without any authority whatever, as an alias of Adam Seton.

The relationship between his father Dougal and Sir Alexander de Settone secundus, is, as stated above, not certain. But Seher succeeded the latter about 1249.

Two undated charters referring to him appear in the Harleian Manuscript.<sup>1</sup>

In the first, Sir Roger de Quincy grants "Saer de "Settone" the lands of Tranent; in the second he grants to "Sayer de Settone, son of Dougal", an annual

1. Harleian MSS. 4693. fol 10.

rent from the mill and mill land of Tranent "for his "service." Among the witnesses to the latter were William de Bosco, Duncan Sybald, William de Hay and Robert de Bettone, "militibus", i.e. Knights.

Sir James Balfour ascribes these charters to 1246. As Roger de Quincey styles himself Earl of Winchester (Wintoun) they could not have been earlier than 1235 when he succeeded to the Earldom on his mother's death.

In 1248/49 Roger de Quincy granted permission to the Abbey of Lindores to take heather from the Kinloch moor.<sup>1</sup> Two of the witnesses are "Christopher de Seton" and his son Alexander. At first sight this introduces a Christopher into the family; but, as Col. Robert Seton Marshall shows, the probable explanation is that, in transcribing the charter, the abbreviation used has brought about a confusion of the name. It would be quite easy for a transcriber to read "Sehero" as "Xoforo", and then to expand the latter into "Christo-phoro". This is the more probable as the names Seher and Alexander appear together in a later charter.

In October 1254 "Saer de Setene" witnessed a charter by Alexander Hunyeth, or de Unyeth, of certain lands to the Abbey of Dunfermline.<sup>2</sup>

About 1260 Sir Fergus Comyn, miles, dominus de Gorgyn (Gorgie) granted to Holyrood Abbey the mill stank of Saughton; this was witnessed by "Serlone de "Setona et Alexandro filio suo".<sup>3</sup> This shows the Latinised form of the name Seher.

In 1262 Seher and his son witnessed a grant by Roger de Quincy, handing over the church of Collessie to the Abbey of Lindores; <sup>4</sup> and, as "Serlo de Seton", he witnessed in 1263 several charters to the Abbey of Arbroath.<sup>5</sup> In one of these he is styled "Dominus "Serlo de Seton, Miles".

1. Chartulary of Lindores, (Sco. Hist. Soc. Vol. 42) p. 48.

2. Registrum de Dunfermelyn. No. 309.

3. Liber Cartarum Sancte Crucis. (Bannatyne Club) p. 75. No.87.

4. Chartulary of Lindores. pp. LVIII. 170, 276.

5. Registrum Vetus de Arberbrothok (Bannatyne Club) 187, 266, 269.



Before his death in 1264 Sir Roger de Quincy appears to have appointed Seher de Seton his attorney for his lands in East Lothian, and Seher accounted for the rents to the Exchequer.<sup>1</sup> These estates were later confiscated to the Crown owing to the policy of de Quincy's sons in law during the War of Independence.

#### Marriage.

According to Maitland Seher de Seton married Janet daughter of Hugh Gifford of Yester, - the same lady apparently as the one who is said to have married Adam de Seton. There is no known authority for either statement.

He certainly had one son Alexander (tertius) who succeeded him; and it is probable he had a daughter, Barbara who married Sir William de Keith and had a son Sir Robert, the Bruce's great Marischal.<sup>2</sup>

The statement made by Douglas that Sir Seher had a son Sir John is incorrect, as will be shown later.

#### Death.

He must have died before 1271 when his son Alexander granted the lands of Ruchelaw to the Abbey of Melrose.

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#### The Arms of the Early Setons.

The earliest known Seton seal<sup>3</sup> shows a coat of which the distinguishing features are three crescents and a label of three or five points. This belonged to Sir Alexander de Seton, secundus, son of Philip de Seton, and dates from about 1216.

Whether the original Alexander de Settone, primus, carried arms is not known; but it is a remarkable fact that one Alexander de St. Martin, a vassal

1. Exchequer Rolls 1. 33.

2. Scots Peerage VI. 30; Douglas Peerage II. 186.

3. Seton: Family of Seton 1. 69 (illustration); Laing Catalogue 736.



of the Countess Ada, who held lands from her on the East side of Seton in 1150,<sup>1</sup> had a coat of arms also bearing three crescents, - but "argent" not "gules".

In spite of the difference of tincture, however, the coincidence of the three crescents as the cognisance in two families living side by side, almost suggests a blood relationship at some time.

A much earlier example of the use of the three crescents is in the coat of arms of the early Flemish family of "de Wahull" in Northamptonshire, represented originally by Walter "the Fleming"; his coat also bore them.

The connexion between the Setons of Cumbria and the De Wahulls of Northampton, though not confirmed, is suspected.

The Edmonstones carry the three crescents, gules, and they are almost certainly of Seton origin in the main line.

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#### The period 1249 to 1306.

Scotland, at this time, was distracted by internal troubles. Alexander III came to the Throne in 1249, a lad of eight; and for thirteen years the country was sharply divided on the question of policy towards England.

This was not merely a racial question; nor was it one of Celt versus Saxon or Anglo Norman; it was, rather, the case of the National against the pro-English party. And the struggle, sometimes acute, sometimes dormant, lasted until the accession to the Throne of the Stewart line in 1371.

During Alexander's minority, Walter Comyn, Earl of Menteith and Alan Durward, the Justiciar, who had married Marjory a natural daughter of the late King, quarrelled over the regency of the country and the guardianship of the young King. Each in turn secured

1. Lawrie: Early Scottish Charters.

his person, but Comyn eventually won the day and, for fear of English support to his rivals, collected a force in the autumn of 1257, and established himself at Jedburgh.

Among his supporters was Christell Seytoun, "aye "awaitin his time contrare the Englishmen".

The death of Alexander in March 1286 near Kinghorn, followed as it was in September 1290 in Orkney by that of his rightful heir, his infant grand daughter Margaret, the "Maid of Norway", left the Crown of Scotland to be scrambled for once again by a large number of claimants.

The little uncrowned Queen had only been dead a few days when Robert Bruce, Lord of Annandale, "the "competitor" went to Perth, accompanied by his son Robert, who was Earl of Carrick by right of his wife, the Earls of Mar and Atholl and James the Steward; and there he announced his claim to the Crown against all comers.

The Guardians of the country appealed to Edward I of England, who at once summoned a council of Scottish Barons and Clergy to meet him, at Norham in May 1291, at the same time announcing himself to be Superior and Lord Paramount of Scotland.

The meeting took place, and among the Scots were eight of the claimants, all of whom formally acknowledged the position claimed by Edward. It was decided to appoint 104 commissioners to review the cases put up.

At the same time every castle in Scotland was placed in the hands of Edward, who then made a progress through the country as far as Perth, exacting homage.

The Commissioners considered the claims of twelve persons, and, failing to arrive at a decision, referred the matter back to Edward. The decision was made by him in favour of John Balliol on 17th November 1292; the Scottish Guardians then broke up the Great Seal, and Balliol, having sworn fealty to Edward, was crowned at Scone on 30th November.

The "toom (empty) tabard", as he was called, had sold himself to the English King, and found the latter a hard master, and the position of a vassal King an impossible one. The public demand for the expulsion of all Englishmen, and the forfeiture of their estates in Scotland, and for a standing committee of bishops and nobles to direct public affairs, showed him that Scotland was not to be ruled by such a man as he.

He at last tried to break away from his allegiance, and, seizing the opportunity when Edward was at war with France and had trouble in Wales, he concluded a defensive alliance with France in 1295 and, in March 1296, invaded England.

The English riposte was immediate and ruthless. Edward invaded Scotland, captured Berwick and massacred the inhabitants, and, on 27th April 1296, routed the Scots army at Dunbar - the first great blow of the War of Independence.

Thence he marched north as far as Elgin. On 27th July, in Stracathro Churchyard, he received the surrender of John Balliol, and his abdication.

On the return march Edward halted at Berwick on 22nd August 1296, and received the submission and homage of some two thousand of the leading men of the country. The instrument in which this wholesale surrender is recorded is the celebrated document known as the "Ragman Roll".<sup>1</sup>

Everything now pointed to Scotland becoming a mere appanage of her powerful neighbour.

But, when things are at their worst, Scotland has a way of producing a hero - on this occasion William Wallace.

Edward had scarcely left the country when risings began, and the War of Independence which culminated at Bannockburn may be said to have commenced in September 1296. For nearly two years Wallace, Andrew de Moray, and Sir William Douglas attacked the English garrison on every opportunity. At Lanark and Scone in May 1297 Wallace fell upon them; again at Dundee and on 11th

1. Instrumenta super Homagiis (Bannatyne Club) 162.

September at Stirling Bridge he soundly defeated them; and followed this up with an invasion of England lasting three months.

Reprisals were necessary if Edward was to regain his lost power in Scotland; and, in the summer of 1298, he led a large army against the "Guardian of Scotland" as Wallace now styled himself. They met at Falkirk, and as was destined to happen often during the next hundred years, the English archers routed the "schiltroms" or solid squares of Scottish pikemen.

Wallace's career was at an end; and although he was not captured and executed until 1305, he figures but slightly in the course of the next few years.

Balliol had abdicated; but his near kinsmen, the Comyns, claimed that they were next in succession to the Crown of Scotland.

In order to grasp the activities during this period of the Bruces, - grandfather, father and son, - it must be borne in mind that the judgment in favour of John Balliol, though it may have been correct in accordance with English law, was not so from the point of view of Scottish custom. It was certainly definitely unacceptable to Bruce, who had been nominated by Alexander III as his successor, many years previously, in the absence of heir male of his own body.<sup>1</sup> When the award of the Scottish Crown was made by Edward, Bruce "the Competitor" was an old man and not in a condition to take up arms in support of his claim; therefore he resigned to his son Robert Bruce, Earl of Carrick, all his rights to the Crown.

In the same year, however, on 27th October 1292, the Countess Marjorie died; and Bruce, refusing to do homage to Balliol for the Earldom, handed it over to his son Robert (afterwards King Robert II), and retired to Norway until his father's death in 1294. He then returned to England and did homage for the family estates in England and was appointed Governor of Carlisle Castle.

1. Scots Peerage II. 431.



In 1295, actuated by hatred of the Bruces, John Balliol forfeited the lands of the Earl of Carrick in Galloway and Annandale and gave them to his kinsman John Comyn Earl of Buchan.

This action, for a time, threw both the Bruces into the English party and laid the foundations of that feud with the Comyns which, finally ended in the assassination of the "Red Comyn" by Robert Bruce on 10th Feb. 1306.

It must be understood then that in 1295 young Robert Bruce, having been deprived of his estates by Balliol, was labouring under a grievance. In March 1296 his father was engaged in King Edward's operations against Balliol in Scotland, and on 28th August both father and son swore fealty to him. When, however, Balliol had abdicated, and, in consequence of the brutality of the English King, a National Party was formed under Wallace, they both threw over their allegiance to the English Crown and joined the National Party in May 1297.

Although, at the Capitulation of Irvine in July 1297, Bruce Earl of Carrick was forced to offer hostages to Edward for his future good behaviour, he never implemented his agreement; and, during the winter of 1297/8 his lands in Annandale were twice ravaged by the English leader Sir Robert de Clifford.

Meanwhile the younger Bruce was in open opposition to Edward in the West country, and, after Wallace's defeat at Falkirk, he had to fall back before the English Army. Before leaving the country Edward captured his castle of Lochmaben in Annandale.

In December 1298 Bruce was selected to be Guardian of the country, with his rival John Comyn, younger, of Badenoch as his colleague. This arrangement was unsatisfactory for both, and in August 1299, at a conference of the Scottish leaders in Ettrick, there was a violent quarrel between them.

A truce between the two countries was arranged early in 1302; and, on 28th April, Carrick, i.e. the



younger Bruce, was again received into the King of England's peace. On his father's death in 1304 he became Lord of Annandale and inherited the Garioch and other lands in Scotland, certain lands in Durham, and other large estates in England which came through his great grandmother Isobel, daughter of David Earl of Huntingdon; he also succeeded to the English Peerage as Baron Bruce.<sup>1</sup>

Up to the middle of 1305 he was apparently on good terms with Edward, and was sent by him to Perth to arrange for a Parliament; but coolness again arose between them and Bruce, no doubt, recognised that Edward was old and ill, and that his son had not the qualities of his father. So he threw in his lot against England, and suffered immediate confiscation of his English estates.

His first step towards attaining the object of his life, which had determined all his actions hitherto, was to quarrel with his old enemy, the Red Comyn, whom he stabbed in a Minorite Chapel at Dumfries on 10th February, 1306.

He then had himself crowned King of Scots at Scone on 27th March, 1306.

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During the period covered by this very sketchy review several of the preceding Setons lived, but there is no record of any of them having been concerned. It is only with the next generations that we find how the Setons were gradually drawn into the maelstrom of the Scotland versus England rivalry.

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1. Scots Peerage II. 435.

Sir Alexander de Seton tertius.

? 1227 - before 1296.

It has been shown above that this Alexander is styled son of Sir Seher de Seton in a charter by Roger de Quincy to the Abbey of Lindores, dated about 1248/9. Presumably he was then of age, and may therefore have been born about 1227.

In later Charters of 1260 and 1262 he and his father appear as witnesses. It is not however possible to state when his father died and he succeeded, as no charter of confirmation of his estates has been traced.

The first historical reference to him appears in the Chronicle of Melrose which states that "a certain Knight of Scottish origin, named Alexander de Seton" accompanied Prince Edward (afterwards Edward I) son of Henry III of England to the Holy Land in 1270, and was present with him at Acre. The chronicler adds that Sir Alexander's Esquire, Nicholas by name, was captured by the enemy and never heard of again.<sup>1</sup>

He must have returned home soon afterwards, as, in or about 1271, he presented the estate of Ruchelaw to the Abbey of Melrose for the souls of himself, his wife, and his heirs.<sup>2</sup> This estate was originally granted by Patrick de Dunbar, Earl of March to Bertram or Bartine Seton, and the confirmation charter by William the Lion was probably dated 1201. (see Bertram, above). It presumably passed into the main line of the family after the death of Bertram, or his son Adam; and thence it came to Sir Alexander tertius who had a charter of confirmation of it from the Earl of Dunbar, which is undated.<sup>3</sup>

1. Reg. de Melrose l. 218; Anderson: Early Sources II. 666.

2. Liber. Saneti Mariae de Melrose l.199; Scots Peerage VIII 563.

3. Harleian MSS. 4693. fol. 10 b.

About 1273 Sir Alexander was witness to a charter by "Elen le Zuche" (Alan le Zouche) to John of Kyndelouch.

### Marriage.

The name of Sir Alexander's wife is unknown. Lord Hailes considers she may have been Isobel, daughter of Duncan, ninth Earl of Fife. That is unlikely as she married John Comyn, second Earl of Buchan.

It is probable he had two sons:-

1. Alexander quartus, Defender of Berwick who succeeded him.

2. Christell primus - see Note following.

The only indication of the death of Sir Alexander is that on 28th August 1296 his son Sir Alexander did homage for his lands to Edward I.

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### The Christell and Alexander Setons.

A digression is here necessary to consider the divergent views of authorities in regard to certain individuals bearing these names.

#### The Maitland version.

Sir Richard Maitland mentions three Christell or Christopher Setons in succession.

Of these he says that Christell primus died in the 30th year of Alexander III, i.e. in 1279; that he was "mair gevin to devotion nor worldlines"; and that he married Agnes, daughter of Patrick seventh Earl of Dunbar, by whom he had a son Christell secundus.

This second Christell, he says,

"did mony gud actis aganis the Englismen,  
"quhen the Crowne was desolat and in pley betwix  
"the Bruce and the Balliol".

This statement obviously refers to the conflicting claims of Robert Bruce, Lord of Annandale, the Competitor, and of John Balliol, during the years from 1290 to 1292. He adds that Christell

"quhen he micht nocht brouk (enjoy) the  
"Lawland of Lowthyane, quhair was his dwelling  
"place, dwelt and remainit with his kyn and  
"frendis in Jedburgh forest, ay awaiting his  
"tyme contrare the Englismen".

He too is said by old Maitland to have had a son Christell tertius, the historical Sir Christopher. Following on these Christells, Maitland shows two Alexanders, father and son. Of them he says the first, "sister sone to King Robert the Bruce" was killed at Kinghorn in 1332; and that the son was the Defender of Berwick.

In other words he shows the two later Christells between 1279 and 1306 and two Alexanders between 1306 and 1333. This seems to be impossible unless he has shown one Christell as two, or unless the relationship between them is not as stated. In fact his account can not be accepted.

The Dictionary of National Biography considers that Seyer or Serlo Seton, whose death is placed at about 1279, had a son Christell who died the same year. That might be the first of Maitland's Christells.

Riddell's Manuscript Baronetage of Scotland.<sup>1</sup>  
This authority shows Seher's son Alexander having a son Sir Christopher, brother-in-law of Bruce; and he again, as having a son Sir Alexander, of Berwick fame. This also is impossible as Sir Alexander did homage to Edward I in 1296, the year before Sir Christopher married the Bruce's sister.

The Scots Peerage.<sup>2</sup>

This authority correctly states that the historic Sir Christopher was son of Sir John de Seton of Whitby Strand and Hinderwell in Yorkshire, who also had

1. Riddell M.S. Baronetage V. 307-326. National Library.

2. Scots Peerage VIII. 564.

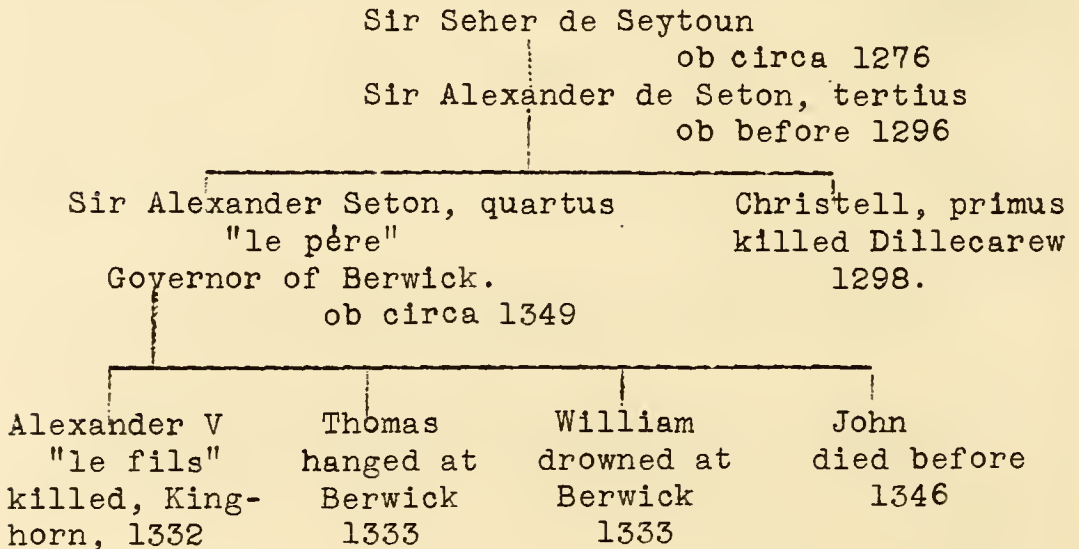


estates in Cumberland and Durham, and was an English Knight ( see Yorkshire Setons below).

Lord Hailes, Annals.<sup>1</sup>.

He considers the Sir Alexander who defended Berwick in 1333 was son of Sir Christopher, the Bruce's brother-in-law, and that the Alexander Seton who was killed at Kinghorn in 1332 was an unidentified member of the family.

None of these explanations meets the case completely. After prolonged consideration of the views expressed above, the following Table is submitted to show the possible relationship of this group.



The second Sir Christopher, "gud Sir Christell", had nothing to do with the main line of Seton in Scotland. It must be admitted that this shatters the family tradition, especially as he left no descendant. But he was a Scottish as well as an English subject, owning estates in both countries.

This however must be accepted as certainly true. His origin will now be dealt with.

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1. Lord Hailes: Annals of Scotland II. 356.

### The Early Yorkshire Setons.

At this period there were two members of the family of Seton of Hinderwell in Yorkshire, viz. Sir John de Seton, and his distinguished son Sir Christopher, brother-in-law of The Bruce.

The family was settled in Yorkshire before the middle of the 12th century; how they were related to the Cumbrian Setons or to the still older branch found in Northamptonshire and Rutland is not yet solved. It is worth noting that "Seetun" was mentioned in Domesday Book as a manor in 1086.

Col. Robert Seton Marshall, the only authority on these early Setons has traced the following individuals; but in the case of most of them no relationships can be stated.

1. Osbert de Seton, lived before 1148 and had a grant of land in Hinderwell about 1139.<sup>1</sup>

2. Ivo de Seton son of Osbert. Appears in Records 1159 - 1189.

3. Adam de Seton.

4. Ivo de Seton, mentioned in 1175; may be No. 2 above.

5. Robert de Seton.

6. Adam de Seton mentioned in 1246.

7. Sir John de Seton of Seton and Hinderwell. He was a Knight of Robert Bruce of Annandale (the Competitor). He married Erminia, daughter of Thomas de Lascelles and Christian Treby who, for her third husband, married "the Competitor".<sup>2</sup>

By Erminia Lascelles Sir John had two sons:-

a. Sir Christopher Seton of Seton and the historic character

b. Sir John Seton, styled an English subject, and executed in 1306.

1. Scots Peerage VIII. 559. Note 1.

2. Scots Peerage II. 432.

Sir John de Seton

ob. 1299.

His estates lay in Yorkshire, Durham and Cumberland, mostly held by him "in chief" of the Crown. Among the Yorkshire lands were the "vills" of Gamelsby, Unthank and Lambynby, and the lands of Seaton.

It is uncertain whether he held lands also in Scotland; but there can be no doubt he was the "Johan "de Seton .. del Counte de Dumfres" who did homage and signed the Ragman Roll at Berwick on 28th August 1296;<sup>1</sup> he was therefore certainly a Scottish as well as an English landowner.

But before this his name appears in records. Thus, on 15th December 1285 King Edward pardoned Robert de Brus, Lord of Annandale and John de Seytone his knight, for killing game in Inglewode Forest.<sup>2</sup>

On 4th July 1291 he is said to have "set out with "the King (Edward I) for the town of St. Andrews".<sup>3</sup>

Another remarkable reference, apparently to him, occurs in 1294 when, on 7th November, "John Comyn of "Scotland, Vallet" who had been committed to "Flete" prison for assault, was liberated on the "maniprise" (surety) of John de Seton in the County of York.<sup>4</sup>

On 4th October 1294 as "Dominus Johne de Seton" he was witness to a charter by Robert de Brus, Lord of Annandale, to Randolph of Dundee.<sup>5</sup>

On 29th June 1296 he was "in the King's service" in Galloway, with Robert de Brus Earl of Carrick, who prays for a protection for "his bachelors Sir John de "Wigton, Sir John de Seton and Sir Walter Halket ...

1. Bain: Calendar of Documents (Scotland) II. No. 214.
2.       ib                               ib                               No. 278.
3.       ib                               ib                               No. 501.
4.       ib                               ib                               No. 702.
5. Highland Papers (Sco. Hist. Soc<sup>y</sup>) II. 129.

"who are going to the place where the King is" <sup>1</sup>.

Sir John died before 11th September 1299 when "Christopher" is described as his son and heir and did homage to Edward for his lands in England. <sup>2</sup>.

Sir John's wife Erminia de Lascelles had the following ancestry: -

Duncan de Lascelles of Boulton, Cumber- land	=	Christian de Bassenthwaite, descended from Gospatrick, bastard son of Waldene 1st Lord of Allerdale, who gave her Boulton and Bassen- thwaite. (3)
Thomas de Lascelles Lord of Boulton ob before 1260	=	Christian dau. of Sir Wil- liam de Treby of Gamelsby. Her 3rd husband was Robert Bruce the Competitor. She died in 1305
Sir John de Seton of Seton in Hinder- well	=	Erminia de Lascelles
Sir Christopher de Seton, executed 1306	=	Lady Christian Bruce sister of King Robert the Bruce

This table was prepared by Col. Robert Seton Marshall. It is of interest as it explains how the Yorkshire Setons came to hold lands in Dumfriesshire.

The mother of Christian de Treby was Christian, daughter of Odard de Hodelmia in Dumfriesshire, who also had lands in Cumberland. The Bruces of Annandale acquired Hodelmia (now called Hoddam) possibly

1. Bain Calendar. Scotland II. 995.

2. ib ib 1091.

3. Nicholson & Bain: Hist. of Westmorland & Cumberland II. 417.



through Christian de Treby's third marriage, with Bruce the Competitor.

The "Johan de Seton .. del Counte de Dumfries" who appears in the Ragman Roll was "dapifer" to the Competitor, and probably held land in Annandale from him, which was subsequently held by his son Sir Christopher.

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Sir Christopher Seton of Seton in Hinderwell, Yorks.

1278 - 1306

No member of the family, probably, is more widely known by reputation than this Sir Christopher; and of few have the historians made a more completely inaccurate series of statements, through copying each other instead of searching the State Records.

In the case of Sir Christopher there is no excuse for this, as the facts, identifying him and his estates, are all clearly traceable in the printed "Calendar of Documents relating to Scotland" 1272 - 1307, arranged by Bain.

From this source it is shown<sup>1</sup> that:-

a. "Cristofer de Seton" was son and heir of Sir John de Seytoun who died before 11th September 1299.

b. He had attained his majority on 25th March, 1299.

c. He did homage to Edward for his father's lands in Cumberland on 11th September, 1299.

d. He also held lands, i.e. the manor of Seton in Yorkshire, from William le Latymer.

It is on this record no doubt that the Scots Peerage classed him as an Englishman.

But that authority overlooks the fact that on 28th Aug. 1296 "Johan de Seton del Counte de Dumfries"

1. Calendar of Documents. Scotland II. 1091, 1102.

swore fealty to Edward I at Berwick, and signed the Ragman Roll. Had this John been an English landowner possessing no Scottish domicile he would not have been required to take this action.

It is moreover known that John's Scottish estate in Annandale, called Hoddmia (now Hoddam) was inherited by his son Sir Christopher and was forfeited after the latter's execution in 1306.<sup>1</sup>

As regards nationality then, Sir Christopher and Sir John were in precisely the same position as the Bruces who had lands in both countries and were subjects of two Crowns.

As Sir Christopher married the sister of King Robert Bruce the following table has been compiled by Col. Robert Seton Marshall, to show the relationship between the common ancestors of them both.

1. Palgrave: Documents illustrating the Hist. of Scotland  
CXLII Item 4.

This Table accounts for the undoubted friendship which existed between these Setons and the Bruces of Annandale.

It will be noted that the grandmother of Sir Christopher was descended from Odard de Hodelmia in Dumfriesshire, the very estate which came to him from his father Sir John. It is known also that when that Lady married Robert de Brus the "Competitor", as his second wife, she held from these Setons the lands of Unthank and Gamelsby in Yorkshire,<sup>1</sup> and was in possession of them as late as September 1305.

As a personal friend, and later as brother-in-law, of the future King of Scots Christopher probably shared the political views and vicissitudes of fortune which befell the latter.

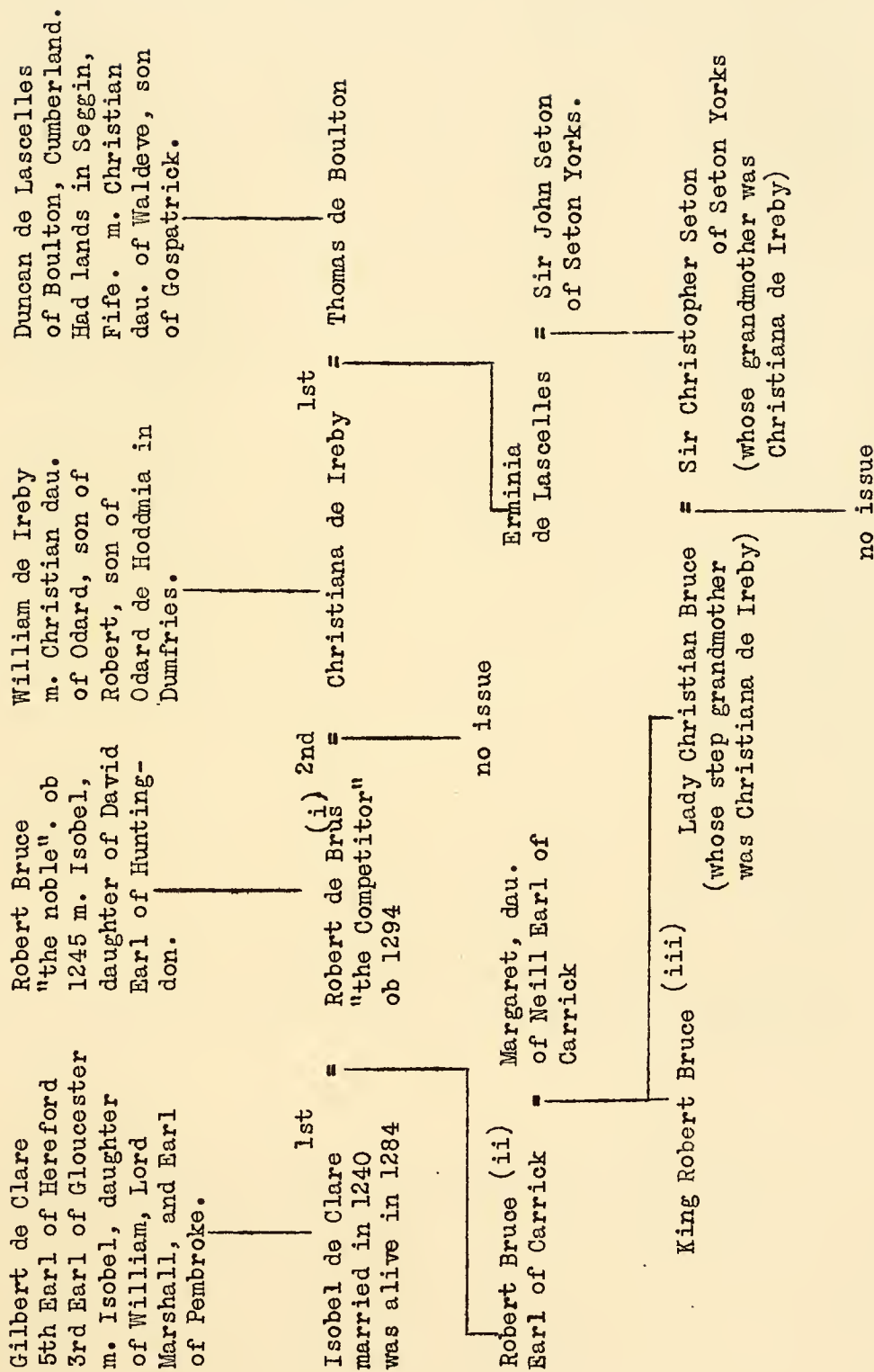
In March 1304/5 he is spoken of as "in the King's Service" i.e. in that of King Edward;<sup>2</sup> and, in October of that year, it is recorded that Edward ordered William de Hamiltone, his Chancellor, to grant letters under the Great Seal, to "Christopher de Setoune, son and heir of John de Setoune, a tenant in capite who had done homage and fealty".<sup>3</sup>

There is no evidence that Christopher took part in the Wallace campaign before September 1299 when he swore fealty to Edward for his English estates; and we know that as late as October 1305 both he and Robert Bruce were in "the King's peace".

Then came the turn of events when Bruce repudiated his allegiance, and embarked on his attempt to capture the Scottish Crown; and Sir Christopher accompanied him.

It is said he was present at the murder of John Comyn Lord of Badenoch by Bruce on 10th February, 1306; had this been the case, however, the fact would probably

- |          |                        |              |           |
|----------|------------------------|--------------|-----------|
| 1. Bain: | Calendar of Documents. | Scotland II. | 1690.     |
| 2. ib,   | ib                     | ib           | II. 1464. |
| 3. ib    | ib                     | ib           | II. 1697. |







have been included in the charges against him later when he was taken prisoner.

The best known exploit of Sir Christopher was the rescue of the King at Methven on 26th June, when he was completely defeated by Aymer de Valence, Earl of Pembroke.

According to Maitland, when the Bruce was unhorsed and nearly captured by an English knight, Sir Christopher.

"came in all haist and straik at ord him that had  
"the King in his handis"

while Barbour says he wrought such heavy blows on Sir Philip Mowbray that

"he gert him galay (sway) dizeyly, and had till erd  
"gave fullyly, ne (unless) war he hynt be his  
"steed".<sup>1</sup>

Bruce's force was scattered, and for the time his career was eclipsed. He escaped to Atholl, and Sir Christopher took refuge in Loch Doon Castle. He was surrendered to the English; Barbour says this was done by one Macnab "a disciple of Judas", but the English records say that Sir Gilbert de Carrick, Keeper of the Castle, was responsible. Some time later Bruce gave Sir Gilbert a remission for this surrender, having discovered the imputation was untrue.<sup>2</sup> It is a curious fact that, at the end of the loch there is still a place called Macnabston, which is said to have been the reward paid to Macnab for his treachery.

Sir Christopher was taken to Dumfries, and one of the charges against him was that, on a previous occasion, he had killed an English knight. He was convicted and was hanged, drawn and quartered.

On the site of his execution his widow erected a chapel, and the King arranged that Masses should be perpetually said for his soul. "Christell's Chapel"

1. Barbour: The Bruce (Sco. Text Soc<sup>y</sup>) Book II. Verse 411.

2. Scots Peerage II. 424: Reg. Mag. Sig. Folio Ed. 115.

was maintained "from the rent due to the King out of "the barony of Carlaverocke". It survived until 1552 and then fell into ruin.

#### Marriage.

Sir Christopher married, as her second husband, Lady Christian Bruce, sister of Robert Bruce and widow of Gratney Earl of Mar, a strong partisan of Edward I. He died before 1305, leaving by her apparently a son and a daughter.<sup>1</sup>.

Sir Christopher, however, left no family at all.

It has been stated that the Scots Peerage calls him an Englishman, partly because - as an excuse for his execution - the English so styled him. That view is only tenable to the same extent as it would be in the case of any one, King Robert himself for example, who owned lands in both countries.

The historians say he was father of Sir Alexander, the defender of Berwick. Apart from the fact that there is no evidence he ever had a family it would be impossible for him to be father of Sir Alexander, as he did not marry before 1305 whereas Alexander had already done homage to Edward on 28th August, 1296.

Actually all we know of his military career took place during the few months between the winter of 1305 and June 1306. Frankly he ought not to be regarded as one of the national heroes, although the romance of his connexion with the Bruce has endeared him to writers who habitually give laurels to the wrong person.

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After his execution his Cumberland estates were granted to Sir William le Latymer, and on the 4th October the Durham lands

"of Christofer de Setone, lately drawn and hangit  
"for rebellion"

1. Scots Peerage V. 578, 579.

were given to Geoffrey of Hartlepool, and the Yorkshire property to Robert de Clifford.<sup>1</sup> The Annandale lands of Hodelmia were granted to "Wyncestre" on 6th April 1306.<sup>2</sup>

Sir Christopher's widow, who, along with the Bruce's wife and daughter, was captured by the English; they were confined in Roxburgh, Newcastle and Carlisle.

During her imprisonment she was allowed a sum of three pence a day for food, and one merk yearly for clothing.<sup>3</sup>

She was still a widow in 1314 but, in 1326, married Sir Andrew Moray of Bothwell, the staunch supporter of Robert the Bruce, and afterwards Regent.<sup>4</sup> In 1335 she made a gallant defence of Kildrummie against the Earl of Athole and the English party, until relieved by her husband and Sir William Douglas of Liddesdale. She probably died in 1357.

#### Sir Christopher's Coat of Arms.

Maitland says that on the occasion of his marriage to the King's sister the Bruce knighted him and granted him

"the doubil tresour of fleur de lyeis" as an addition to his coat. It has always been assumed by the family historians who have misplaced Sir Christopher in the main line of the family that it was from him that the double tressure descended.

As, however, he left no descendants, this can not be accepted. The first appearance of this augmentation is probably earlier than this time on a seal ascribed to about 1230, or, alternatively on a seal of Sir Alexander Seton quartus in 1337.<sup>5</sup> It is probable it was really granted to the latter.

1. Bain: Calendar of Documents II. 1776, 1841, 1894.

2. ib ib II. 1910.

3. Palgrave: Documents illustrating the history of Scotland CXLII item 4.

4. Scots Peerage II. 128, 434.

5. Scots Peerage VIII. 564 note 5; Nisbet Heraldry, ed 1804, 1.180.



John de Seton.

- 4th Aug. 1306.

This individual is frequently mentioned in the Calendar of Documents, and, from the dates and the circumstances, it appears probable he was a younger brother of Sir Christopher.

In April 1301 it is recorded that he had a Royal respite from his debts to the Crown as a special favour when he accompanied Edward I. to Scotland.<sup>1</sup> In June of the same year he is referred to in a letter in which Sir Humphrey de Bohun<sup>2</sup> asked for protection for him as his "bachellor"; and in September 1301 he is shown as assisting the English Constable of Berwick to suppress a mutiny in the garrison.<sup>3</sup>

In August 1306, after he had joined the Scottish National Party, he was taken prisoner by the English while in command of Tibbers Castle, and "drawn and hangit". In the relative charge it is definitely stated that he was present at the murder of Sir John Comyn by Bruce, and that, at the time of his execution he had "no lands or chattels".<sup>4</sup>

Richard Seton.

- November 1306.

Finally there is this unidentified Richard who, along with "Johan de Setone del Counte de Dumfries," swore fealty to Edward I and signed the Ragman Roll on 28th August 1296.<sup>5</sup>

Lord Hailes considers he was another brother of Si:

- |          |                        |              |           |
|----------|------------------------|--------------|-----------|
| 1. Bain: | Calendar of Documents. | Scotland II. | 1195.     |
| 2. do    | do                     | do           | II. 1205. |
| 3. do    | do                     | do           | II. 1223. |
| 4. do    | do                     | do           | II. 1811. |
| 5. do    | do                     | do           | II. 214.  |

Christopher.<sup>1</sup> He was executed at Newcastle in 1306.

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The Yorkshire Setons of this time took an active part in the early stages of the War of Independence, and though English, in respect of their properties in England, they also had a Scottish domicile. But they must be kept apart altogether from the main line of the Scottish Setons, to whom it is now necessary to return.

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Sir Alexander de Seton quartus - "The father"  
1280 - 1349.

We now return to the main line of the family in the person of this Sir Alexander, who occupied a much more important influence on events than did Sir Christopher.

Like so many of his predecessors, his parentage has been completely misunderstood by the family historians, and the most unexpected and impossible conclusions have been arrived at by them.

Maitland says he was grandson of "Gud Sir Christell", and the original Douglas Peerage of 1764 agrees; Nisbet, Lord Hailes and Wood's edition of the Douglas Peerage regard him as Sir Christopher's son, and therefore nephew of Robert Bruce.

As has already been shown:-

i. Sir Christopher came of age on 25th March 1299, and could not have been even the father of this Alexander who did homage to Edward I on 28th August 1296, when he must have been of age.

ii. Christopher's parentage, origin and history are perfectly authenticated; and it is known he had no family.

1. Hailes: Annals of Scotland II.

The only doubtful point is whether Sir Alexander quartus was really the son of the Sir Alexander de Seton tertius, who appears to have died before 1296. It is just conceivable that he was the grandson, but there is no evidence of that; and it is assumed therefore that Alexander quartus, the Defender of Berwick, was son of Alexander tertius.

His career is interesting as typical of the period in which he lived, and was similar to those of most of the leading families of the country at that time.

The earliest record of him is as "Alisanndre de "Seton, Vallet, del Counte de Edeneburgh" when he did homage to Edward I at Berwick on 28th August 1296 and signed the Ragman Roll.<sup>1</sup> His lands, which had been in that King's lands, were formally restored to him on 5th September;<sup>2</sup> and, for some years afterwards, he was in the service of the English Crown. The extent to which East Lothian was then a conquered country is shown by the fact that on 2nd June 1296 Edward had exercised his patronage in appointing one Thomas de Cornwall to the living of the Church of Seton<sup>3</sup> - a remarkable instance of Edward's attention to matters of small concern.

What part, if any, Alexander de Setoun took in the early efforts of Wallace and the National Party to free the country is not known. His name does not appear in any record until 1306 when, having gone on the King's business towards the Isles with John de Mowbray, he fell under suspicion, and Royal Orders<sup>4</sup> were issued for him to be arrested and sent to the King on his return, and for the forfeiture of his goods and chattels.

He does not seem to have been captured, but his properties were forfeited, and in August of that year, as "Mons Alexandre de Setone" he petitioned for

1. Instrumenta super Homagiis (Bannatyne Club) 162.

2. Rotuli Scotiae l. 29a.

3. Patent Rolls. 24 Edward I. 15.

4. Foedera II. 1013; Calendar of Docts. (Palgrave) List CLV. 2. p. 356.

restoration.<sup>1</sup>.

When Robert Bruce, after his temporary eclipse at Methven returned to take up his victorious career Alexander, together with Sir Gilbert Hay and Sir Neil Campbell engaged to defend his right to the Crown; and this they swore to do upon the Sacrament at Cambuskenneth on 8th September, 1308.<sup>2</sup>.

The time however was not propitious for overt action and Alexander had to profess that he was "in the peace" of King Edward. In the autumn of 1310 Edward II invaded and occupied East Lothian, and many of the local Barons were forced to swear fealty to him. Alexander was no doubt among that number, as, on 20th February 1311/12 his name appears as a juror on an Inquisition into the forfeited lands of Sir Robert de Kethe, Sir Thomas de Haye, "and other Scottish enemies", in obedience to a Royal command.<sup>3</sup>.

Again no more is heard of Alexander until 1314. When Edward II invaded Scotland in that year, with the intention of relieving the English garrison in Stirling Alexander was serving in his army, and continued to do so until the two armies faced each other at Bannockburn.

According to Scalachronica, Alexander must have observed the condition of the English army, and noted the results of the preliminary fighting on 23rd June. That night he went over to Bruce, and urged him to fight next day as he considered the English troops were demoralised.<sup>4</sup>.

This decided Bruce to give up his idea of withdrawing during the night; and the battle of Bannockburn was the result.

Alexander had now burnt his boats, and was from

1. Foedera II. 1013; Calendar of Docts. (Palgrave) List CLV. 2. p. 356.

2. Scots Peerage VIII. 565.

3. Calendar of Documents 245.

4. Scalachronica (Maitland) 142; Barron: Scottish War of Independence 457.



this time onwards a wholehearted supporter of Bruce.

During the years 1315 to 1317 he served with Edward Bruce, the King's brother, in Ireland. He must have returned before his leaders final defeat at Dundalk in October 1318, as in 1317 he was sent by King Robert I on a diplomatic mission to England.<sup>1</sup> In later years, 1320 and 1322 he was employed in the same manner, and, on the last occasion the King empowered his "bachelor" Sir Alexander de Setoun to make oath on his soul for Bruce's action in regard to certain hostages.<sup>2</sup>

After Bannockburn Bruce rapidly consolidated his position, and carried the war into the enemies country. In 1317, he captured Berwick, to the intense annoyance of Edward, who tried in vain to recapture it. Nevertheless Edward refused to recognise Bruce as King of Scots, or the independence of the country. As late as July 1319 Seton's lands were still shown as being in the hands of the English King.

That Alexander had already been knighted by Bruce is certain, but the occasion is not known.

On 6th April 1315 he certainly appears as "Sir Alexandre de Setoun" when witnessing a charter.<sup>3</sup>

On 6th April 1320 was drawn up at Arbroath the famous document to Pope John XXII, in which the Scottish nation declared its independence and claimed his support. Sir Alexander's seal is appended to the duplicate copy in the General Register House, Edinburgh.<sup>4</sup> At this time he is said to have received from King Robert a "coat of augmentation", viz. gules, a sword supporting an Imperial Crown to perpetuate "the memory of his own and progenitors worthy actions for the King and country".<sup>5</sup> It seems probable that this

1. Foedera III. 683.

2. Foedera III. 809; Bain: Cal. of Documents 767, 807, 809.

3. Historical MSS. Comm.<sup>n</sup>. App to 6th Report 690.a. (Menzies MSS.)

4. Laing: Catalogue of Ancient Scottish Seals. No.737.

5. Nisbet: Heraldry (Ed. 1804) 1. 233.



may have been the occasion of his being also granted the double - tressure, though Nisbet does not mention it.

He was certainly in high favour with the King, who, in addition to many other estates referred to below, gave him, before January 1328, the town of Berwick in "feu ferme", and the Governorship;<sup>1</sup> he was also for a time, Steward of the Household of David, Earl of Carrick<sup>2</sup> the King's son.

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Robert Bruce died on 7th June 1329, leaving his Crown and his difficulties to his son David II, a child of five years of age, with his nephew Randolph Earl of Moray as Regent; and new troubles were not slow to arise.

By the treaty of Northampton with Edward III in May 1328 a number of forfeited Scottish barons, such as Henry de Beaumont who had married Alicia Countess of Buchan,<sup>3</sup> and others, who had taken refuge in England, were to be allowed to return to Scotland and resume their estates. These barons were known as "the disinherited" or "les querelleurs".

As, however, Bruce had given many of the estates to his supporters, and the presence in the country of a number of discontented landless barons would have been embarrassing, the Regent refused to implement the Treaty.

After negotiations lasting some eighteen months Edward decided once again to take a hand in Scottish affairs and to put Edward, son of John Balliol, on the Scottish throne. With a force of "disinherited" barons and English troops Balliol effected a landing at Kinghorn in Fife on 6th August 1332.

According to Maitland, Sir Alexander happened to

1. Exchequer Rolls I. 64, 541.

2. Exchequer Rolls I, 141.

3. Scots Peerage II. 259.

be in the neighbourhood "quha set upon the said Edward "Balliol and his cumpanye at thair landing, and slew "dyvers of thame"; but was overcome by numbers and was killed.

Maitland may well have been right about the action, but he was certainly wrong about Sir Alexander "the "father"; the individual concerned was his son, known as "le fils".<sup>1</sup>

Just before Balliol landed, the Regent, Randolph, died; and his successor, Donald Earl of Mar, was not a man of the same stamp. Mar met the invaders on 12th August 1332 at Dupplin, and was defeated and was himself killed, along with Randolph's son and successor, Thomas second Earl of Moray. Balliol was then crowned at Scone, and, on 23rd November formally recognised Edward III as his liege lord.

Scotland again rallied and chose Sir Andrew Moray of Bothwell as third Regent. He, with his kinsman John, now third Earl of Moray, and Sir Archibald Douglas, raised a force and routed Balliol at Annan on 16th December, 1332, and drove him out of the country.

Before leaving, however, Balliol forfeited Sir Alexander Seton's estates.<sup>2</sup>

#### The Siege of Berwick.

In the following spring Balliol again appeared with a large force at Roxburgh and prepared to lay siege to Berwick.

That town had been surrendered by Balliol's father to Edward I in 1295 but had been recaptured by Robert Bruce in 1317. Edward II had tried to recover it in 1319, without success. Now, in 1333, it was destined to fall into the hands of Edward III.

Sir Alexander, Maitland tells us, was "capitane

1. Fordun: *Scotichronicon* II. 346.

2. *Calendar of Docts. Scotland* III. 224, 333, 337, 1223, *Rotuli Scotiae* l. 692 b.

"and keiper of Berwick". Actually he was in command of the town and Patrick, ninth Earl of Dunbar, commanded the Castle.<sup>1</sup>

The English army appeared before the place in May 1333

"and seigit the said town verray scharplie bayth  
"be sey and land; bot the said Sir Alexander  
"debaitit it verray valyeandlie for the space  
"thre monethis"

The garrison made sorties, and succeeded in turning some of the English ships; in one of these attacks Thomas Seton, one of Sir Alexander's sons,

"followit sa fast that he was taken prisonare,  
"and presentit to the King",  
and another, William Seton, was drowned.

Accounts differ as to the order of events and what actually happened, but it appears that

"the victuall grew scant in the said town, and  
"dyvers thairin hurt and slane".

Sir Alexander therefore sent to Sir Archibald Douglas for help. In the meantime he arranged a truce with the enemy and bound himself to surrender the place unless relieved by a certain date; and, it is added by the old authorities, that he gave hostages, one of whom was his son Thomas - who, however, according to Maitland was already in their hands.

Douglas, according to the Scalachronica, not only threw reinforcements into the town, but burnt and ravaged the country side, and then crossed the Border.

When he had gone Edward and Balliol again demanded surrender, but Sir Alexander refused on the ground that, technically speaking, he had already been relieved, both as regards men and provisions. Edward regarded this as a breach of the treaty, involving forfeiture of the hostages, and hanged young Thomas in front of the town walls.<sup>2</sup>

1. Scots Peerage III. 265.

2. John Major: Hist. of Great Britain V. Chap. XII. 272  
(Sco. Hist. Soc.)

Fordun, in his *Scotichronicon*, Maitland and others, however say that the English King said

"he suld hang bayth his sonnys ... to the quhilk  
 "answerit the said Alexander, Gif he wald use sic  
 "creweltie, contrare to his faith and promeis,  
 "gae to his purpose, for he wald nocht rander the  
 "toun"

Whereupon, Edward

"incontinent gart dress up ane gallows .. and  
 "thair hangit thame in maist cruell manner".

The credit for the refusal to surrender is generally ascribed by the old writers to the Lady Christian Cheyne, Sir Alexander's wife. Alexander Carden,<sup>1</sup> writing in 1626, says that Sir Alexander,

"greatlie incouraiged by his maulie minded wife,  
 "choos'd rather to suffer his two sonnys die by  
 "the tirrannie of King Edward than to deliver  
 "that town"

Old Sir Richard Maitland, however, considers that his hero Sir Alexander

"was a man of gritar courage nor any woman culd  
 "be, and, gif he wald have savit his sonnys, he  
 "wald nocht stoppit for ane woman".

The Scottish Army returned from Northumberland, and, on 19th July, with the fatal optimism which so often characterised their operations, attacked a carefully selected English position at Halidon Hill outside Berwick. The result was a crushing defeat, the Regent himself was killed, and, practically, the whole work of the Bruce was undone in a day.

Meanwhile Sir William Keith appears to have got into the town and assumed the Governorship,<sup>2</sup> and it was he who surrendered it to Edward about 22nd July, 1333.

1. Alex. Carden: *A theatre of Scottish Worthies*.

2. Hailes: *Annals* (W 1797) App XIII. Vol. III. 104; *Scots Peerage* VIII. 567.



Once again Sir Alexander found himself a forfeited man, and compelled by circumstances to swear fealty to Edward III and Edward Balliol.<sup>1</sup>

It is certain, too, that he sat in Balliol's Parliament on 10th February 1334, and was one of the signatories of the Deed of Cession of Berwick.<sup>2</sup>

Once again the country rallied however, and the disinherited barons, who had been the origin and cause of the disaster, quarrelled among themselves, some siding with Balliol and others with David II. The Earl of Moray too returned from France, and Philip VI of France told Edward he was interested in Scotland.

The National Party gradually retook the Scottish castles from their English garrisons; but, in 1337, when Edward declared himself King of France and went to war, French troops began to come in to the help of Scotland. By 1341 the country was considered safe for the return of David.

Whether Sir Alexander recovered his estates after doing homage to Edward in 1333 is doubtful. There is no doubt the "baronia" of Seton was in the hands of William of Eylesford in 1336.<sup>3</sup> This suggests that he had repudiated his allegiance; and, on 19th June 1336, he is referred to as one of the "ductores de Scotia contra Angliam".<sup>4</sup>

In 1337, and again in 1340, Sir Alexander was sent to England on diplomatic missions. In 1341 he was appointed one of the "Lords Auditors of Causes and Complaints".<sup>5</sup> With advancing years he became religious. In 1337 he made a donation of twenty shillings annually to the Friars of Haddington for the welfare of his soul, and for the souls of his ancestors and descendants. Later he became a Member of the Order of St. John of Jerusalem, and, about 1345, was appointed "Guardian" or

1. Major: History of Great Britain V. Chap. XII. 273.

2. Focdera IV. 595, and V. 200, 202.

3. Calendar of Documents. Scotland III. Appendix p. 337; and Rotuli Scotiae 692, 693.

4. Illustrations of Sco. History (Maitland Club) p. 58.

5. Liber Ecclesiae de Scotiae 125.

Master of Torphichen by the Grand Master of that Order.<sup>1.</sup>

According to the Rules he must have resigned his estates to his successor before taking that office; whether he did so is uncertain as, in 1345, he was still styled "Dominus de Setoun". In 1347 he obtained from Pope Clement VI an "Indult" permitting him to choose a Confessor,<sup>2.</sup> and in August 1348 he had a safe conduct to London in connexion with the business of the Order. On this occasion he was styled "Frater Alexander "de Seton, Miles, Hospitalis S. Johannis Jerusalem".

#### Death.

Sir Alexander probably died in 1349. Few men of his time can have led a more strenuous life than he, during his 69 years. The honours and rewards that came to him however can scarcely have compensated him for the loss of all his sons.

#### Grants of Estates.

Many charters give details of grants to Sir Alexander by Robert I of lands forfeited by those who had fought on the English side during the War of Independence.

On 26th March 1320 he had a charter of the Lands of Barns and the East Mill of Haddington "for his good "service in Ireland and Scotland, doing therefor to the "King and his heirs the service of two bowmen for the "Army",<sup>3.</sup> and in April 1322 this estate was erected into a free Barony.

The King also granted him an addition to his arms of a sword erect, in pale, supporting a Crown".<sup>4.</sup>

In 1320 he also had a Royal Confirmation of a charter by Patrick Earl of March granting him Halsington

1. Registrum de Dunfermelyn 196; Calendar of Papal Letters Rec. Series III. 94.

2. Historical MSS. Report, App. to 5th Report p. 647.  
(MS. of W. Gordon.)

3. Harleian MSS. 4693. fol. 12.

4. Nisbet: Heraldry (1804 Ed.) 1. 233.

in Berwickshire.

In 1322 he was given the Barony of Elphinstone on its forfeiture by Peter Liband; also "the whole land "of Fawside", part of the barony of Tranent, and the Lordship of Milles or Myles which had belonged to Sir William de Ferreirs, son in law of Roger de Quincy.

Another important acquisition was the Lordship of Dundas with land in South Queensferry, and the Lordship of Wester Craigie. To this was added Niddrie, which had belonged to Sir Alan la Suche, another son in law of Roger de Quincy.

The original estate of Seton was confirmed to him "in free warren and forest", and the town was erected into a free burgh with a weekly market "to be holden "on the Lord's day".

From other superiors Sir Alexander acquired at different times Hartshead in Berwickshire, Gogar in Edinburghshire, Culloden in Morayshire and a piece of land in Aberdeen.

Some of these had belonged to John Comyn, Earl of Buchan, the third of the sons in law of Roger de Quincy.

#### Marriage.

About 1311 Sir Alexander married Christian, daughter of Cheyne of Straloch in Aberdeenshire.

By her he had four sons.

1. Thomas hanged by the English at Berwick in July 1333.

2. William drowned at Berwick while trying to set fire to English ships. Wyntoun says of him "Than Williame off Setoun faucht sa fast among "the schippys, quhill at last his fadyv into the "Se saw him drown". 1.

3. Sir Alexander quintus "the son". He was so called to distinguish him from his father. It was

1. Wyntoun: Cronykil II. 398.

apparently he who was sent on a mission to Newcastle in 1323, and was styled by Robert I his "bachelor".<sup>1</sup> He was killed, opposing the landing of Edward Balliol, at Kinghorn on 6th August 1332.

Sir Alexander married Jean, daughter of Sir Thomas Haliburton of Dirleton, and by her probably had a daughter Margaret, who carried on the succession. (See below)

4. Sir John of whom nothing is known. Maitland says he married Elizabeth heiress of Sir Cecil Ramsay of Parbroath, and founded the cadet branch of Seton of Parbroath.

This can not be reconciled with what is known of the succession in the main line. Whoever he married, he left a son Alexander, sextus, who married Margaret de Ruthven in 1346. In the relative charter,<sup>2</sup> referred to below at more length it is shown that at that time Sir John was dead. The Scots Peerage<sup>3</sup> considers that Sir John died, in his father's life, after 1327, and that his son died, without issue, in the year of his marriage, possibly at the battle of Durham 17th October 1346.

#### The Succession to Alexander de Seton, quartus.

There is some doubt as to who succeeded Sir Alexander on his death in or about 1349. The authorities vary widely and irreconcilably in their views. Their views are now stated in tabular form:-

Sir Richard Maitland says that Sir Alexander, "the father" was succeeded by his eldest surviving son Alexander "the son"; and that the latter married Margaret, daughter of Sir William Murray, Captain of the Castle of Edinburgh, by whom he had a daughter Margaret; and that she succeeded.

This ignores the fact that Alexander the son was

1. Calendar of Documents, Scotland. III. 767, 807, 809.
2. Registrum Honoris de Morton (Bannatyn) II. 49.
3. Scots Peerage VIII. 569, 570.



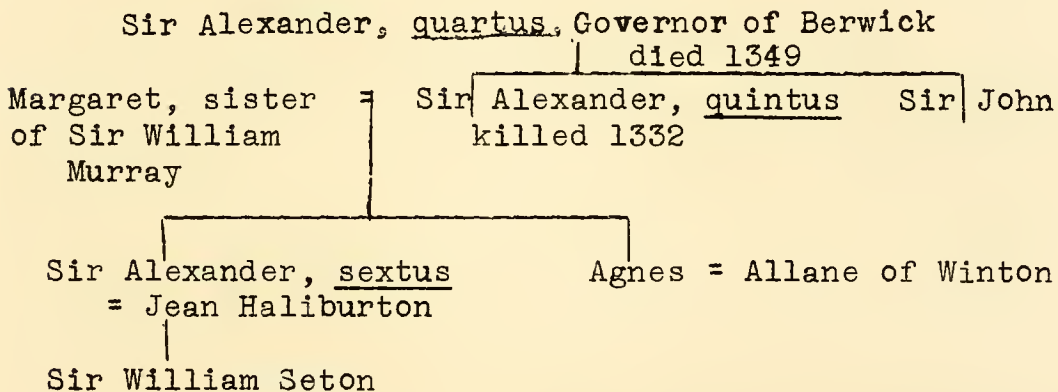
killed at Kinghorn in 1332, during his father's lifetime. It is also wrong as regards the name of this Alexander's wife, which was Jean Haliburton.

Nisbet, in his manuscript account of the family, follows Maitland.

Douglas Peerage. Wood, in his edition, omits mention of Sir Alexander Seton "the son" altogether, but considers old Sir Alexander "the father" left a daughter who succeeded.

Scots Peerage considers that Alexander "the son" may have left a daughter Margaret, who succeeded her grandfather; or alternatively that she was a daughter of Sir John.

Family Heraldic Pedigrees. These show the following line of succession:-



There is a charter which appears to have been overlooked in this connection.

On 16th April 1346<sup>1</sup> Sir William Douglas of Liddesdale bound himself to make certain payments to "Sir Alexander de Seton, Knight, Lord of that ilk", (i.e. to the Sir Alexander Seton quartus, who was defender of Berwick), in consideration of the marriage of

"Alexander de Seton, son of umquhile (deceased)

"Sir John de Seton, heir of the said Alexander"

1. Registrum Honoris de Morton II 49.

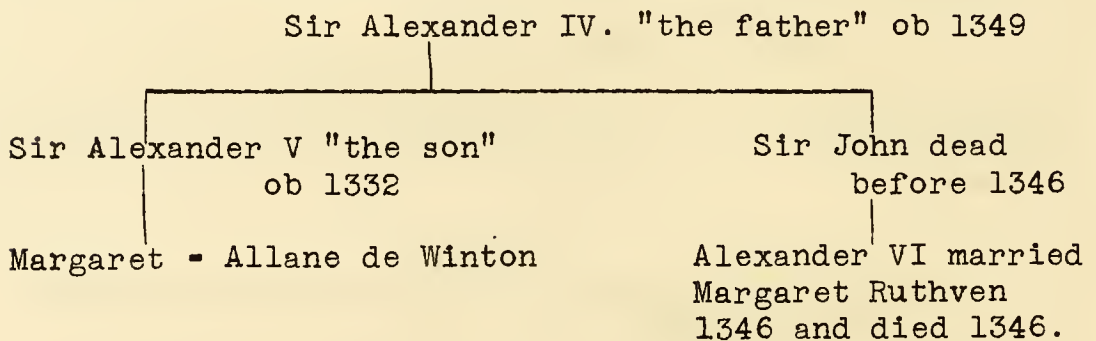
with Margaret, daughter of the deceased Sir William de Ruthven.

This charter obviously shows that, in April 1346, both the sons of old Sir Alexander, viz Sir Alexander quintus and Sir John, were dead; also that the heir male to the estate was then Alexander Seton, sextus, son of Sir John.

Moreover, the fact of Alexander sextus being styled heir, also shows that Alexander quintus had left no male issue.

But, as stated above, Alexander sextus himself died, or was killed in the year of the charter, when he was married.

This relationship may be regarded as the only one that can be accepted.



The only possible doubt is whether Margaret, who undoubtedly succeeded, was the daughter of Sir Alexander V "the son", or of his brother "Sir John", or possibly of the other brother William who was drowned at Berwick.

It is assumed that the succession as shown above is correct, in spite of any statements by other authorities.

Chapter IIITHE LORDS SETON.Margaret, Lady of Seton.

As stated above, the succession to the estates of Seton after the death of Sir Alexander de Seton, the defender of Berwick, about 1348/9, is uncertain. All his sons had predeceased him, and the property devolved on Margaret who was probably the daughter of Sir Alexander, the son who was killed at Kinghorn in 1332.

Our information about her is based on the works of Andrew de Wyntoun and Fordun, and must be regarded as partly based on hearsay.

According to de Wyntoun<sup>1</sup> Margaret Seton was abducted in or after 1347 by one Alan de Wyntoun, with the result that there was severe local trouble. According to Fordun a hundred ploughs were laid aside in Lothian while the matter was under discussion<sup>2</sup> and he describes it as "Wyntoun's war". Lord Hailes says "some favoured the ravisher, others thought to bring him to punishment."

It is further stated that William of Murray, whose sister had married Sir Alexander Seton, aided the young couple and took them into Edinburgh Castle of which he was Governor. This seems more than doubtful if Margaret Murray was really the mother of Margaret Seton.

The question is, who was Alan de Wyntoun?

There had been an "Aleyn de Wynton" who had sworn fealty to Edward I. in 1296, among the barons of the county of Edinburgh; and a "Thomas de Wynton" who did likewise, among the barons of Ayrshire. A "Robert de Winton" had a charter of Hirdmanston before 1300 from Robert I, and "Ingelram" and "Hugo de Winton" appear

1. de Wyntoun: Cronykil II 267.

2. Fordun: Scotichronicon II 337.

in a charter of 1343.

In days when the use of the surname was by no means established, and a man was known by the name of his lands, it is often impossible to ascertain his relationship. There is however no doubt that the estate of Winton had been in the hands of the Setons for several generations, and the Scots Peerage considers it may well have been given to a younger son, who then assumed the territorial name.<sup>1</sup>

This Alan de Wyntoun may well have been a descendant of the Philip de Seton, who owned Winton and died about 1195.

Fordun further narrates that complaint was made to the King, and that Alan was apprehended. Margaret was then subjected to the ordeal of being blindfolded and made to choose between a sword and a ring. She chose the latter and Alan had a providential escape, unless the blindfolding was not efficiently carried out. They were then regarded as wed.

Nevertheless the Lady Margaret's relations, according to Fordun, made life so intolerable for Alan de Wyntoun that he went abroad, assumed the Cross, and is said to have died in Italy. It is probable, as the Crusades had stopped, that he went as a pilgrim.

As he passed through London on his way abroad, Alan de Wyntoun left 400 ducats of gold with one Nicholas Zucull a Venetian merchant. In 1363 his son "William of Wyntoun" authorised Adam Wymondham a citizen, and Nicholas Nogrebon, a Venetian to recover the money<sup>2</sup>. The document states that Alan had died on his way to Mount Sinai, when about to visit the tomb of St. Katherine there.

It is not known when Margaret Seton died.

She left a son and a daughter:-

1. William who succeeded his mother.
2. Margaret (or Christiana) who married George 10th Earl of Dunbar.<sup>3</sup>

1. Scots Peerage VIII 570. Note 2.

2. Rotuli Scotiae l. 879.

3. Scots Peerage III 273, VIII 571.



From this point the succession of the main line is quite clear. The Cupar manuscript of Fordun's *Scotichronicon*, referring to Alan de Wyntoun, says:-

"Moreover his son William was afterwards a distinguished soldier at Jerusalem and died an old man. Whose son John, a very keen soldier, was troublesome while he lived, to the English; whose son, too, Lord William was slain in France at Verneuill; whose son, the Lord George, a soldier, is at present living. These four soldiers have I known well; of whom the three first were foremost in stature and strength."<sup>1</sup>.

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David II, son of the Bruce, died in February 1371 without male issue, and the Crown devolved on the next direct descendant, in the female line.

Robert Bruce's daughter Marjorie married Walter 6th High Steward of Scotland, and their son Robert II ascended the throne, the first of the Stewart Kings.

For over 300 years they occupied the Throne, first of Scotland, then of the United Kingdom; and, for many years after the last actual ruler of the race left the country, attempts were made to restore his successors to the throne of their ancestors.

Tragedy overshadowed them from the first. Of the seven Stewart Sovereigns who ruled Scotland before the union of the Crowns James I and III were assassinated, James II was killed accidentally, James IV was killed in action, James V died brokenhearted, Mary Stewart was murdered in cold blood by Elizabeth.

They all made mistakes, often grievous mistakes; and they were all incapable of recognising when the time had come to waive old time prejudices and to make concessions. But, in spite of their failures, they attracted to themselves the intense personal loyalty of many of their subjects, loyalty which recoiled repeatedly on men who were ready to hazard everything in

1. Fordun. *Scotichronicon* II 336, 337.



manifesting it.

Of many Scottish families can it be said they were true to the Stewarts; of few is it more true than it is of the House of Seton that they identified themselves with the fortunes of their Sovereigns, for better for worse. They lived active lives, and loved and fought and intrigued, and sometimes they rose to high positions, and sometimes they suffered eclipses of fortune. But their cause was the Stewart cause, and, with the disappearance of that cause from the world's stage their own history has come to an end.

Robert II led a stormy life. In 1333 he fought at Halidon Hill; in 1338 he was chosen Guardian of Scotland during the absence of his uncle David II in France. He took part in the raid into England which resulted in the Battle of Durham in 1346, where the King was taken prisoner. In this campaign, as High Stewart, he commanded a division, and was overwhelmed by numbers but saved the wreck of the army, with which, as Guardian for the second time, he continued to assert his country's independence.

He succeeded his uncle in 1371, and died on 19th April 1390, when his son John, Earl of Carrick, succeeded him as Robert III. By 1398 he was discovered to be "unable to govern", and his eldest son David was appointed King's Lieutenant on 27th January 1399, and held that office until 26th March 1402 when he died. Robert died on 4th April 1406 and was succeeded by his second surviving son, James, who became James I, as a lad of twelve.

On the day of his father's death he was on his way to France when he was captured at sea by the English, and kept a prisoner by them for eighteen years. The country was then administered by his uncle Robert, Duke of Albany and the latter's son Murdac.

Sir William de Seton, "Dominus de Settone".

circa 1348 - 1408

Sir William, son of Margaret Lady of Seton and Alan de Wyntoun, was certainly styled "William de Wyn-toun" as late as 1363,<sup>1</sup> and there is no record as to when he dropped the patronymic; it may have been on his succession to his mother's estates.

As a young man he appears to have taken part in the Holy Wars and to have reached Jerusalem;<sup>2</sup> if so, he was probably in the army of Peter I, King of Cyprus, who was fighting in Palestine in 1369.

He is mentioned by Froissart as "le seigneur de Seton",<sup>3</sup> in the Scottish Force which raided England in August 1388 as a reply to the invasion of Scotland and the burning of Edinburgh by Richard II three years before. In retiring from Durham the column under James second Earl of Douglas met "Hotspur" on 19th August at Otterburn. The English were routed and Hotspur was taken; but Douglas was killed. Sir William was in this force. At this time he was not a knight, but is so styled in a charter of 1402;<sup>4</sup> on the other hand, in a petition to the Pope in 1394 he styled himself "Baron, Lord of Seton".<sup>5</sup>

The next notable incident in his career resulted from the fact that his sister Christiana had married George 10th Earl of Dunbar, and had a daughter Elizabeth. This lady, after the King's sanction and Papal dispensations had been obtained,<sup>6</sup> became espoused to David Duke of Rothesay, son of Robert III, and subsequently married him, before 1396. David, however, then repudiated her, and married Marjorie daughter of Archibald Earl of Douglas.

1. Rotuli Scotiae l. 879.

2. Douglas Peerage (Wood) II 641; Fordun. Scotichronicon II 337.

3. Froissart: Chronicles (Ed 1839) II 20.

4. Scots Peerage VIII 571.

5. Calendar of Papal petitions 1342-1419. 590.

6. Scots Peerage III 275, 279.

Infuriated at this insult Dunbar, who had been one of the Scottish leaders at Otterburn, went over to the English Court and became a bitter enemy of the house of Douglas and of his own country. He took service with Henry IV on the Marches; and when Murdac Stewart and Archibald Earl of Douglas invaded England in 1402, it was Dunbar and the Percies who encountered and defeated them at Homildon Hill, on 14th September 1402.

One of the prisoners taken on this occasion was William Seton, "Le Sieur de Seton",<sup>1</sup> who was taken to the Tower, and was still there as late as 1406.<sup>2</sup>

His son John appears to have been taken prisoner with him, and there is no record of the date of their release.

According to Sir Richard Maitland, the family historiographer, Sir William

"was first to be creatit and made Lord of Parliament, and he and his posteritie .. to be callit "Lordis"

This statement has been accepted without question by later writers, and Sir William has been styled Lord Seton.

This, however, cannot be accepted. Lords of Parliament only came into existence when James I returned to Scotland after his long captivity, in 1424, and introduced many English customs.

Mr. J. N. Macphail K.C., commenting on this, says "To the old Peers whose dignities were purely territorial, he added men whose dignities were, in a sense, personal, though still connected with land, and as hereditary as those which depended upon possession of a fief".<sup>3</sup>

Sir William was dead 15 years before the introduction of these dignities.

1. Calendar of Documents IV 403.

2. Calendar of Documents IV 727.

3. Highland Papers II Glassarie Writs. (Sco. Hist. Soc') 153.



On the other hand it must be admitted that in a Royal Charter of 1392 he was styled William, Lord Settone; and, in a manuscript pedigree of the Earls of Huntly, dated 1604, in the British Museum, he is styled "Wilhelmus, primus dominus Seton".<sup>1.</sup> In the illuminated family trees from Seton House, dated about 1590 and 1640, the same style appears.

Nevertheless it has been decided in this work to regard the style "Dominus Settone" and "Dominus de Settone" as purely territorial ones; and that is the modern view.<sup>2.</sup>

#### Marriage.

Sir William Seton married Jonet, daughter of Sir David Fleming of Biggar,<sup>3.</sup> and had two sons and a daughter:-

1. John who succeeded him.
2. Alexander (see Seton - Gordon)

To him, in 1408, his father gave in marriage Elizabeth, daughter and heiress of Sir Adam Gordon of that ilk who was killed at Homildon Hill on 14th Sept. 1402. On his death, the feudal casualties of "ward and marriage" of his daughter were granted by the Regent, Robert Duke of Albany, to his son in law Walter Halliburton of Dirleton,<sup>4.</sup> who disposed of them to Sir William Seton in return for an annual rent.<sup>5.</sup>

From that marriage descend the Seton Gordons who became Earls and Marquises of Huntly, and the cadet branches of Setons of Touch, Abercorn, Meldrum, Pitmedden and Mounie.

1. Harleian MSS. 4031. 133b.
2. Scots Peerage VIII 572, and note 6.
3. Registrum de Panmure II 230.
4. Scots Peerage IV 518.
5. Reg. Mag. Sig. folio Vol. 232. No.25.

3. Janet married before 3rd March 1413/14 George Dunbar, son and apparent heir of George last of the old Earls of Dunbar who was forfeited in 1434.<sup>1</sup> Money was scarce at that time, and her tocher was only 300 merks, a discharge for which was given to "John, Lord. Settone", her brother on that day.<sup>2</sup>

Sir William died about 1409, and was buried in the Chapel of the "Cordelere" (Franciscan) Friars at Haddington. He left to them six loads of coal weekly out of his pit at Tranent, and forty shillings annually out of his estate of Barns.

#### Arms of Sir William Seton.

Sir William's arms are depicted in the 14th Century "Armorial de Gelré", now in Brussels. He carried the double tressure gules on a field, or, with the three crescents, gules; the crest is the head and neck of an antelope or goat; and alongside the shield is written "Lüert & Seton".<sup>3</sup>

In 1384 his seal still showed an antelope's head as crest; but, about 1400, he substituted a single crescent between two plumes issuant from a "ducal crown." This still exists on a stone over the South door of Seton Church.<sup>4</sup>

Although not shown in the Armorial de Gelré he had lions as supporters in 1384.<sup>5</sup>

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1. Scots Peerage III 277; VIII 573.

2. Harleian MSS. 4693. fol. 8b.

3. Facsimile in Proceedings of Soc' of Antiquaries Scotland (1890) vol 91. p.9.

4. Nisbet: System of Heraldry 1. 233.

5. Macdonald: Seals 2427. Stevenson: Heraldry in Scotland 243, 307.

With the accession of Henry V to the English Throne in 1413, relations with Scotland improved for a time; but Henry's invasion of France aroused the spirit of the old alliance.

In response to an appeal from Charles VI in 1418 to the Regent Albany for help, a force of 7000 men was sent to France in 1419 under John, Earl of Buchan, younger son of Albany by his second wife Muriella Keith. This force defeated the English at Beaugé in 1420, and King Henry's brother Clarence was killed. Several Setons and Gordons were serving under Buchan, and many were among the huge casualties at the battle of Verneuil on 17th August 1424.

A particularly interesting document is extant, dated Paris ratified on 9th December 1424, by which Charles, King of France

"ordained the said Earl of Buchan to be captain of  
"a company of gentlemen, to the number of 150, all  
"Scotsmen, for guarding of the person of the said  
"King"

In return for this the King gave Buchan 3000 crowns  
"furth of the county of Soissons .. for his  
"valorous assistance of the said King with 1000  
"Scots against the English, at the battle of  
"Alencourte (Agincourt)".

This ratification was produced before the Provost and Bailies of Edinburgh by Buchan's daughter Lady Margaret Stewart, who married George first Lord Seton, and was registered in the City Records on 16th February 1451/2.<sup>1</sup>

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Sir John Seton. ("Dominus John de Settone")

ob. circa 1434.

The earliest reference to John was in a charter by Robert III dated March 1393 confirming a grant by "William Lord Settone" to his son of £40 of the lands

1. Seton: Family of Seton II 845.

of Barns.<sup>1.</sup>

He succeeded his father about 1409, and on 14th March 1409/10 had a charter from Robert, Duke of Albany, Governor of the Kingdom confirming him in the Lands of Seton and Tranent, and Winchburgh.

He was probably taken prisoner at Homildon Hill in 1402, along with his father and Sir William St. Clair his father in law. In a contemporary list of casualties he is styled "Monsieur Johan de Seton, fils".<sup>2.</sup>

In 1406 he and Sir William St. Clair were hostages in England for the return to captivity of Archibald Earl of Douglas, captured at Shrewsbury on 25th July 1403.<sup>3.</sup>

On the King's release from captivity in England, in accordance with a treaty of 4th December 1423 one of the terms was payment of 60000 English merks (£40000) for the cost of his sustenance.<sup>4.</sup> This burden was spread over Scotland, and, on 3rd Feb. 1423, "Johannor, dominus de Cetoun, miles" appears as a guarantor of the King's ransom to the extent of 600 merks. Sir John was one of the Commissioners who negotiated the Treaty, and, in addition to paying an entire year's income, he was a hostage for the payment of the ransom.<sup>5.</sup>

In March 1424 he was appointed one of the Conservators of the Seven Years Truce concluded at that time.<sup>6.</sup>

James appointed him Master of the Household, an office which was held by several of his kinsmen and successors. Maitland's statement that Sir John was sent to France in March 1436 in the train of the infant

1. Harleian MSS. 4693. fol 3b.

2. Scotichronicon. (Ed. 1759) II 337 Note.

3. Rotuli Scotiae II 177, 182; Calendar of Documents IV 729, 736.

4. Foedera x 308.

5. Foedera x 266, 307; Rotuli Scotiae 244.

6. Foedera x 332.



Princess Margaret is however incorrect, as he was dead before that date, and his estate was "in ward".<sup>1</sup>

Sir John's name appears occasionally in charters. On 4th March 1409/10 Archibald Earl of Douglas gave his "dearest cousin" John a charter of the lands of Altham in the barony of Roxburgh;<sup>2</sup> on 28th November 1421 John de Annand resigned to his "reverend and "superior Lord John Lord Settone" the lands of Mylles; and on 30th November 1423 Sir John granted to James of Dundas anew the lands of Dundas, on his father's resignation.<sup>3</sup> These Dundas lands had been granted to Sir Alexander Seton by Robert Bruce in 1422.

He was a poor man, and his name appears in 1417 in the Account Book of the Teutonic Order, among a list of Scottish Nobility and gentry who owed them money. His account is included among bad debts.<sup>4</sup>

Sir John died, probably, about 1434. Maitland says he was buried in Seton Church "in the yle foundit "be his moder". This is incorrect, as the "yle" was built by his wife.

#### Marriage.

Before March 1392/3 Sir John married a remarkable woman, Katherine "de Janet Clare", daughter of Sir William St. Clair of Herdmanston - wrongly stated by Maitland to have been the wife of Sir William de Seton. She undoubtedly inherited wealth from her father, and performed "mony gud actis", especially in connection with the Church of Seton. The site of this Church was occupied, as far back as 6th October 1242 by a Parish Church dedicated by Bishop David of Birnam.<sup>5</sup>

1. Exchequer Rolls IV 598.

2. Harleian MSS. 4693 folio 3b.

3. Seton Charters M . 4.

4. Fischer: Scots in Germany 16.

5. Early Sources of Scottish History II 522.

How much of the original fabric remained at the end of the 14th century is not known; but Katherine added to it a South Aisle, "pendit (arched) and theikit (roofed) "with stane .. and foundit ane preist to serve thair "perpetuallie". She also constructed "ane sepulture" for herself there.

During her widowhood, according to Maitland, she lived in one of the "preistis chalmers" and kept a "grit household" some of whom she sent about with Sir John.

She was alive in 1450 when she had a charter of certain lands in Longniddry from her grandson George first Lord Seton. This charter was confirmed by James II, and in it she is styled "Domina Katerine de "Setoun relicte quondam Domini Johannis de Setoun".<sup>1</sup>. This makes it perfectly clear that Maitland, Seton, Douglas and other writers were wrong in regarding her as wife of Sir William de Seton.

By her Sir John had issue:-

1. William see below.
2. Christian. She obtained a Papal dispensation on 2nd Sept. 1416 to marry Norman Leslie of Rothes.<sup>2</sup>. Their son George was created first Earl in March 1457/8.
3. Janet married Sir Robert, Master of Keith, who died in his father's life time. She survived him, leaving a daughter, Janet, who married Andrew second Lord Gray.<sup>3</sup>.

Sir William de Seton.

circa 1394 - 1424.

Maitland omits all reference to this Sir William. Nothing is known of his early years, but he was one of the many young Scotsmen who went over to France in the

1. Reg. Mag. Sig. IV 11. 28 March 1450.
2. Hist. MSS. Commission. Appendix to 4th Report. p.506  
(Countess of Rothes)
3. Scots Peerage VI. 40.

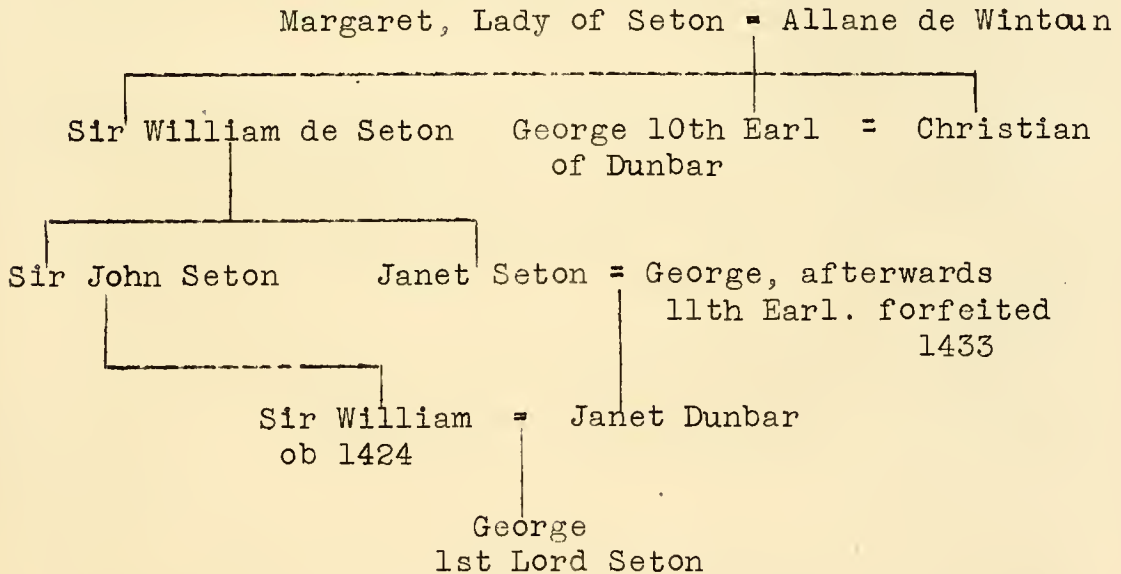
Force commanded by John Earl of Buchan, in September 1419, to assist the Dauphin Charles against Henry of England.

He took part in the victory of Beaugé on 21st March 1421 but was killed at Verneuil on 17th August 1424 when the Franco-Scottish force was cut to pieces.<sup>1</sup>

In a charter of the Earl of Douglas in 1423 he is styled "William Seton, son and heir of John Lord Seton"; so he must have been knighted subsequently.

#### Marriage.

He married a lady called Janet. The Scots Peerage considers she was probably a Dunbar, and granddaughter of George 10th Earl of Dunbar and Christian Seton.<sup>2</sup> If so this was the third Seton-Dunbar connection in three generations, as here shown:-



By this Lady, Janet, Sir William had a son and three daughters:-

1. George - succeeded his grandfather.

1. Forbes Leith: The Scots Guards in France 1. 31; Scotichronicon II 337; Michel: Les Ecosais en France 1. 148.

2. Scots Peerage 1. 236; III. 275; VIII. 574.

2. Catherine - married firstly, about 1429, Sir Alan Stewart of Darnley<sup>1</sup> who was murdered at Falkirk in 1439 by Sir Thomas Boyd; her son was the first Earl of Lennox and ancestor of Henry Lord Darnley, husband of Mary Queen of Scots. She subsequently married Herbert Lord Maxwell of Caerlaverock. She died before 7th February 1477/78.

3. Janet - married firstly her kinsman John Lord Halyburton, and had two sons both of whom succeeded. She married secondly Edward Congalton of that ilk, and was alive early in 1493.

4. Marion - is said to have married Sir John Ogilvy of Lintrathen. If this is so, (and there is insufficient evidence) she was ancestress of the Lords Ogilvy of Airlie.

After Sir William's death in 1424 his widow married, about 1433, Sir Adam Johnstone of that ilk and had four sons.<sup>2</sup>

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There were two Setons, at present unidentified, who went out to France with him in Buchan's force in 1419. It is possible they were natural sons of his father Sir John. They were Sir Thomas, and Jean Seton.

Sir Thomas must have been a picked man, as he commanded a company of men-at-arms and archers and was detailed as personal guard to the Dauphin.<sup>3</sup> He was killed at Crevant in 1423. Jean Seton was an Archer of the Guard.

In 1435 another, Alexander Seton, "Escuyer du Pays "d'Ecosse" was put in command of 11 men-at-arms and 12 archers by a Royal Letter of 7th January 1435. He also can not be traced.

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1. Scots Peerage. V. 348.

2. Scots Peerage. 1. 236.

3. Forbes Leith: Scots Men at Arms in France 1. 13, 154, 155, 159.



George 1st Lord Seton.

circa 1416 - 1478.

His father having been killed at Verneuil in August 1424 George became heir to his grandfather Sir John. When the latter died in 1434 the property of Seton was held in ward by Sir William Crichton,<sup>1</sup> an unscrupulous man, who was Governor of Edinburgh Castle and Master of the Royal Household. He also had the guardianship of young Seton, until his step father Sir Adam Johnstone succeeded in getting possession of him.

The date of George's birth is not known, but in 1433 he is styled "Sir George de Seton, Knight".<sup>2</sup> He had certainly attained his majority in November 1437, when he granted a charter of a holding in Tranent.<sup>3</sup>

The murder of James I in 1437 resulted in the usual conflict of parties; Sir Alexander Livingston of Callender got possession of the young King and took him to Stirling, of which his son James was Captain. Crichton, as consolation, was made Chancellor. In 1440 Livingston and Crichton composed their differences, and combined to destroy the power of the house of Douglas by murdering William the sixth Earl, and his brother David, in Edinburgh Castle.

In 1445 George was created a Lord of Parliament, and thus became the first Lord Seton.<sup>4</sup>

In April 1448, as Lord Seton, he accompanied Crichton, who had also by this time been raised to the Peerage, to France to ratify the old alliance, and to Burgundy to arrange for the marriage of James II to Mary of Gueldres.<sup>5</sup>

1. Exchequer Rolls IV 598; V 62, 63.

2. Exchequer Rolls IV 602.

3. Scots Peerage VIII 575.

4. Scotichronicon (Ed. 1759) II 543.

5. Foedera XI 213; Exchequer Rolls V. 385; Rotuli Scotiae II 332.

In 1450 he went with William 8th Earl of Douglas to Rome to attend the Papal Jubilee.<sup>1</sup> It was during their absence that the King, at Crichton's instigation, entered the Douglas territories and treated his powerful subject as an enemy. When Douglas came home in the following year there was a brief reconciliation between him and the King; but in February 1452 the King, believing him to be in league with Alexander Earl of Crawford, murdered him with his own hand at Stirling.

It is surprising that Seton did not share his downfall. In 1458, Lord Seton was a member of the Privy Council which met at Dunfermline and patched up a truce with England.<sup>2</sup> When hostilities broke out in July 1460 and the King was killed by the bursting of a gun at the siege of Roxburgh internal troubles at once arose. Lords Boyd, Fleming and Kennedy ultimately succeeded in abducting the young King in 1466 and took him to Edinburgh Castle of which Sir Alexander Boyd was Keeper.

A few days later Lord Boyd, who had immense power over the young King, was made Governor of the Realm, and in 1467 got his son Thomas created Earl of Arran and accepted as a husband of the King's sister Margaret.

The Boyd regime caused widespread opposition, and in 1469 during the temporary absence of Lord Boyd and his son in Norway, where they were negotiating for the King's marriage, an Assize, of which Lord Seton was a member, convicted them both of high treason and sentenced them to death. The two principals escaped, but Sir Alexander Boyd was executed. In this connexion it is interesting to note that Lord Boyd's father had murdered Lord Seton's brother in law, Sir Alan Stewart.

In March 1472 Seton was one of the Royal Commissioners sent to Alnwick to negotiate a truce with Edward IV, and was on a similar errand to Newcastle in the following year.<sup>3</sup>

1. Exchequer Rolls V 439; Maxwell, House of Douglas I. 169.

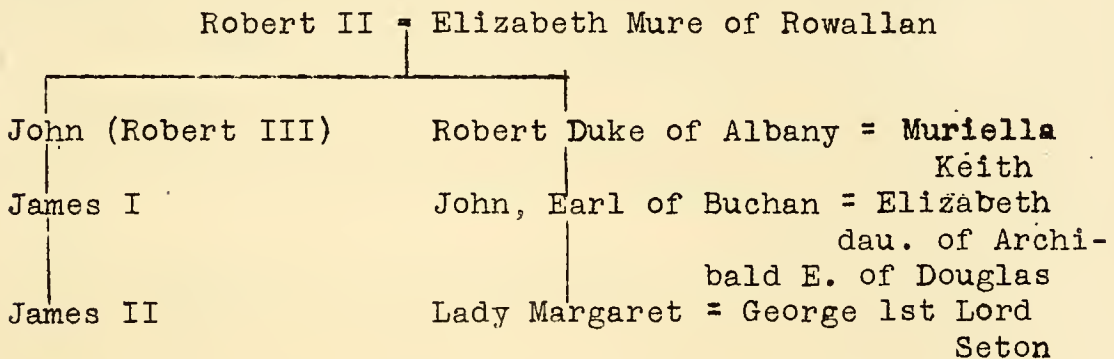
2. Reg de Dunfermelyn 348.

3. Rotuli Scotiae II 433, 437.

In 1476 he and his kinsman the Earl of Huntly were witnesses to a charter by James III confirming to the bishop of Glasgow the city and barony of Glasgow "in free regality".

### Marriage.

Some time before 1436 Lord Seton married, as his first wife, Lady Margaret, only daughter of John Earl of Buchan, Constable of France, second son of Robert Duke of Albany. She was cousin once removed of James II. The relationship is indicated in the following Table:-



Lord Seton and Lady Margaret were within the prohibited degrees of consanguinity, and, having omitted to obtain a dispensation, they were excommunicated. In 1436 the necessary formalities were required and they were granted a dispensation by Pope Engenius IV, with remarriage.<sup>1</sup>

His wife's relationship no doubt accounted for the personal friendship which existed between Lord Seton and James II and James III. Her wealth also contributed materially to his success in life.

It was in consequence of this marriage that the succeeding Lords Seton have quartered with their own arms those of the Earldom of Buchan, i.e. the three Comyn Sheaves or "garbs" of corn.<sup>2</sup>

1. Calendar of Papal Letters 1427-1447. Rec. Scr. 592.

2. Nisbet: Essay on Armories. 209.

By this marriage there were two sons:-

1. John. Master of Seton.
2. Dougal who is mentioned by Maitland, but appears in no record.

Lady Margaret having died, Lord Seton in January 1458/9 married Christian, said to have been daughter of William Murray of Tullibardine. She was styled "Christina de Murra" in a charter of 14th May 1473.<sup>1</sup>

By her he had a daughter:-

3. Christian.- married in 1478 Hugh Douglas of Borg in Galloway, "ane gud lyk man and ane wyse." Maitland adds that "She wald marye nane uther but "him". Lord Seton gave them the lands of Clentis and Nether Hartsyde in fee for a silver penny annually.<sup>2</sup>

Lord Seton is also said to have had an illegitimate son James who was killed at Flodden.

There are numerous charter references to transactions in lands.

Thus on 12th December 1438 he gave a charter of East Barns to an unidentified Robert Seton "for homage and faithful service".<sup>3</sup> In March 1450 he gave certain lands in Longniddry to his grandmother "Katherine de Seyton"<sup>4</sup> in exchange for others in Perth. In 1451 there was an unexplained charter by which he ceded to William Lord Crichton and his heirs the lands of Winton "for his counsels and assistance";<sup>5</sup> the estate was back in the hands of the family in 1508.

On 14th May 1473, with his wife's consent, he made an annual donation of 20 merks from the lands of Clentis and Hertishede to the "Preaching Friars" in Edinburgh for the weal of the soul of James II.<sup>6</sup>

Lord Seton died in Edinburgh after 26th January

1. Reg Mag Sig VII 289. 14.5.1473.
2. Reg Mag Sig VIII 139 26th Jan. 1478/9.
3. Reg Mag Sig III 121 18th Sept. 1439.
4. Reg Mag Sig IV 11 28th March 1450.
5. Reg Mag Sig IV 195 March 1451.
6. Reg Mag Sig VII 289 14th May 1473.



1478/9, and was buried "in the place of the Black-friars", in the choir.

He carried on the improvements of Seton Church commenced by his grandmother. Maitland says he "biggit the queir and pendit it with rymbraces" that is, he built the existing choir and roofed the eastern rib-vaulted portion for part of its length.

John, Master of Seton

circa 1436 -? 1476

Nothing much is known of this John.

He married in 1459 Christian Lindsay daughter of John, first Lord Lindsay of the Byres. As they were both great grandchildren of Robert, Duke of Albany, they were within the prohibited degrees of consanguinity and a Papal dispensation was obtained from Pius II on 20th January 1459.<sup>1</sup> She survived him.

By this marriage he had three sons, and possibly a daughter.

1. George who succeeded as second Lord Seton.
2. John.

He abducted the daughter of a burgess called Little. His relationship to George 2nd Lord Seton is established in a document dated 7th April 1491.<sup>2</sup> According to Maitland one of his sons was Archibald, and he followed his father's example and abducted a daughter of Lord Livingstoun, by whom he had a son George.<sup>3</sup>

Archibald is said to have been

"slane by thieffis in Ananderland (Annandale)  
"cumand frae ane army with the Duke of Albany,  
"callit the raid of Solway"

3. Alexander. He married and had a son or grandson John, who became bailie of Tranent (Setons of Monkmylne). It may have been he who received £3. 8.

1. Reg. Lateran DXXXVIII - folio 236.

2. Harleian MSS. 4693 folio 9a.

3. Scots Peerage VIII 577 Note 10.

for expenses "in travelling divers partis .. for  
"inbringing of the contribution in September 1512." <sup>1</sup>.

The Master of Seton predeceased his father before  
1476, when his widow married Robert Cunningham, Lord  
Kilmaurs. <sup>2</sup>.

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George, 2nd Lord Seton.

circa 1459 - 1508

George succeeded his grandfather in 1479 or 1480,  
and had sasine of the family estates during the years  
1480 to 1483; <sup>3</sup> in 1496 he was also served heir to his  
mother Dame Christian de Lindsay in her dominical lands  
of Winchburgh, <sup>4</sup> which she may have inherited from her  
brother (or kinsman) Sir Walter Lindsay, Preceptor of  
Torphichen.

He was a remarkable man of versatile tastes. Mait-  
land says he was "cunnyng in astrologie, museik and  
"theologie, and gevin to letters" and that he went to  
St. Andrews and Paris "and thair remanit lang tyme at  
"his studie". There is also a curious statement in  
one of the Harleian papers that he was a "necromanticus". <sup>5</sup>.

One of his first actions, on succeeding, was to  
enter into a Bond of Friendship, dated 3rd July 1480  
with Sir Oliver Sinclair of Rosslyn, son of William  
Earl of Orkney. He binds himself to aid him "in all  
"and sundrie his causes and querrells, except only my  
"allegiance to our Sovran Lord the King, and the bands  
"made to the Earle of Argyll", and to give him free  
Entry and Esche (exit) in our Strengths and Castells". <sup>6</sup>.

1. Treasurers Accounts IV, 374.

2. Acta Auditorum 54. 167; Scots Peerage IV 235.

3. Exchequer Rolls VII 680, 682.

4. Harleian MSS. 4693 fol 14b; Scots Peerage V 393 note 5.

5. Harleian MSS. 1423 fol 61.

6. Seton Charters. M p. 5.

The exception, in regard to Argyll, was due to the fact that Seton had married Argyll's daughter.

It is not certain what part Seton took in the troubles which followed the banishment by James III of his brother the Duke of Albany and the honours heaped on his favourite Thomas Cochrane. It is said that he was one of the 24 "Lauder Lords" who hung Cochrane on the Bridge of Lauder and then took possession of the King's person, until his release by Albany.

Curiously enough James does not appear to have borne Seton any malice, though for a time he was incarcerated in Edinburgh Castle.<sup>1</sup> He was appointed one of the Commissioners who negotiated the Treaty of Nottingham on 22nd Sept. 1484, and was made responsible for the quietness of the Borders.

In May 1488 however Seton was in the insurgent force which succeeded in getting the young Duke of Rothesay to join them, and then attacked the King at Sauchieburn on 11th June. After the King had fled and was murdered, Seton nearly lost his life. It was believed the King had taken refuge in a ship of the fleet commanded by Sir Andrew Wood, and Lords Seton and Fleming were sent by the young King to summon Wood, they themselves remaining as hostages for the Admiral's safe return. Some delay occurred, and Seton and Fleming narrowly escaped being hanged by the seamen.

Seton was still employed as an Ambassador under the new regime. In 1497, after the illadvised espousal by James IV of the cause of Perkin Warbeck, he was appointed one of the Conservators of the seven year truce concluded at Ayton on 30th September 1497;<sup>2</sup> and, again, in May 1503 he was concerned in the negotiations regarding the proposed marriage between the King and Margaret Tudor, and was a witness to the assignation of her dower.

1. Pitscottie: History of Scotland 77, 82.

2. Foedera XII 676, 726.

It is evident, therefore, that he was a man of considerable importance in the administration of the State.

Lord Seton, as Maitland points out, had studied in Paris; in later life he travelled abroad. On 6th October 1498 he had a Royal permit to leave the country for a period of 3 years and 40 days.<sup>1</sup> On this, or one of his earlier journeys, he was captured by Flemish pirates, from Dunkirk, and "Spulycit of all his geir "and substance". This annoying incident he declined to accept as a normal feature of ocean travel, so he decided to take the matter of reprisals into his own hands.

Returning to Scotland, on 22nd January 1498/9 he purchased from the King a ship of the Scottish Navy called "The Egill", "with all the stuff, artillzery and "abulzanents, towis (ropes) and takill being in her" for a sum of £500.<sup>2</sup> Maitland tells us he then went to see and "held lang tyme many men of weir (armed men) "thairin upon the sey, and gat sundry revengis upon the "said Flemmynnis, and slew divers of them".

The maintenance in commission of a warship, even in these days, was an expensive luxury, and it is not surprising that, when he came back he found himself "compelled to wadset (mortgage) and annalie (alienate) "the barony of Barnes, the town of Winchburgh, certain "lands in Languetheric and Tranent" - a sad reduction of his estate. He omitted to obtain Royal sanction for the disposal of Winchburgh, and was summoned before the King. Maitland describes the pleading on his behalf by his kinsman Master David Seyton, which had the effect that the King "Smylit and leuch (laughed) and "said na mair".

The disposal of "The Egill" was another difficult matter. The King agreed to take her back provided she were fit to go to sea in May 1502; failing to

1. Reg. Privy Seal (Rec. Ser) 1 - 264.

2. Reg. Privy Seal l. 67. 22 Jan. 1498/9; Treasurer's Accounts II 422.



implement his promise to do so Seton was fined £400 and ordered to pay £526 more which the King had to spend on her, and to forfeit the ship. The fines were paid, but the ship was restored to him.<sup>1</sup> Finally in 1504 the King bought her back for £200;<sup>2</sup> so this naval venture was not a profitable one.

There can be few examples in the history of Scotland of a subject acquiring a warship and becoming seriously engaged on his own account, in reprisals on nationals of a foreign Power.

Lord Seton, like so many of his family in later generations was an architect and also a sound churchman. His grandfather had applied to Pope Paul II for the establishment of a Collegiate Church at Seton, and a Bull dated 13th April 1470 had given conditional sanction thereto. The final sanction however was not obtained until 22nd December 1492.<sup>3</sup>

Lord Seton commenced by abolishing certain chaplainries on his estates to provide funds for the endowment of a Provost, a clerk, 6 Prebendaries and two singing boys. He dealt also with the fabric of Seton Church, continuing the roofing of the choir and building the "revestre" on the north side; he also erected a "college" for the provost and prebendaries.<sup>4</sup> The recumbent figures still lying in the N.E. corner of the choir are supposed to represent Lord Seton and his wife.

Another of his activities was the building of the house of Winton, i.e. the "manor place and fortalicia" subsequently burnt by the English.

The combined results of Lord Seton's architectural and naval achievements were to leave him impoverished.

1. Acta Dominorum Concilii XI. 150-153.

2. Treasurer's Accounts II LXXXVI and p. 422.

3. Bull in National Library.

4. Royal Commission Historical Monuments. E. Lothian. No.191. p.116.

### Marriage.

In or about 1470 he married Lady Marion or Margaret Campbell eldest daughter of Colin first Earl of Argyll. With characteristic foresight, on 14th September 1469, when the lady was only twelve years of age, Seton induced his future father in law, in the event of her death before the marriage, to give him his second daughter Helen.<sup>1</sup>

By this marriage he had issue:-

1. George who succeeded.
2. Robert went to France, and became a Scottish Archer at the French Court. Maitland says he died at Milan leaving two sons.
  - a. William a man-at-arms in France.
  - b. Alexander married Jonet Sinclair, heiress of Northrig and founded the Setons of Northrig.
3. John died S.p.
4. Margaret married William Maitland of Lethington, and became mother of Sir Richard Maitland the family chronicler and ancestress of the Earls and Dukes of Lauderdale.<sup>2</sup>
5. Katherine, of whom Maitland says "Sche wald 'hever marye, howbeit sche micht have had mony gud marriageis". She took the veil in the Convent of St. Catherine of Siena, near Edinburgh, at the age of 36 and died there 42 years later.

Lord Seton, it must be admitted, took his share of pleasure; the family historian does not conceal the fact that he was "gevin to volupete" and had four natural sons and at least as many natural daughters.

Of these "bastard bairnies" little is known, though the names of unidentified Setons crop up frequently about this time in Charters and the Registers of the Great and Privy Seals. One, James, was legitimated in 1500;<sup>3</sup> another "Mr Chrystall" became a priest; Thomas, a third, was a "familiar servant" of

1. Harleian MSS. 4693. fol 9a.

2. Scots Peerage V. 291.

3. Reg Privy Seal II. 72. 15 May 1500.

James IV and was mentioned in connection with the issue of pay to the navy, and may have been "Gunner "Thome Setoun" who served in the "Great Michael." 1.

Besides mortgaging many of his estates Lord Seton sold lands he owned in Perthshire, in 1493. In January 1507 he handed over most of the estates of Seton, Barns and Longniddry to his eldest son. 2.

Lord Seton died before 6th April 1508 and was buried in Seton, in the odour of a sanctity which he had not practised with great success in his life.

#### Arms of George 2nd Lord Seton

Nisbet, in his Manuscript Genealogical Collections, describes the flag flown by Lord Seton in his war ship. It was of red silk with the arms of Seton, "and, on the "other side, a circle interlassed with a triangle in "gold, with this word Indissolubile, and a hand issuing "out of a cloud brandishing a sword with the words "Hazard Zit Fordward".

In the two heraldic family trees possessed by Sir Bruce Seton, which came from Seton Palace in 1715, this cognizance is depicted; and as, among the mottoes in the Touch and Abercorn branches are Hazard Warily, Hazard Forward, and Forward Ours, it is evident that these must have existed in the main line at least as far back as Sir William de Seton who died in 1508, and from whom these cadet branches came.

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1. Treasurer's Accts. IV 253, 283, 293, 507.

2. Reg Mag Sig XIV. 419. 25 Jan. 1506/7.

George 3rd Lord Seton. ? 1471 - 1513.

George succeeded his father some time before 6th April 1508 when in a charter of that date, resigning the lands of Winton and the dominical lands of Myles in favour of himself and his wife jointly, he is styled Lord Seton.<sup>1</sup> As stated above, his father had already handed over to him a large part of the burdened properties of Seton, Barnes and Longniddrie.

He was a prominent figure at Court, and, according to Maitland "richt familiar to King James the ford", with whom he shared the anxieties and the tragic close of that troubled period.

Marriage.

Before December 1506 he had married a remarkable woman Lady Janet Hepburn, elder daughter of Patrick first Earl of Bothwell and Janet Douglas, daughter of James first Earl of Morton.<sup>2</sup> Bothwell was Master of the Household, Great Admiral of Scotland, Custodian of Edinburgh Castle and Sheriff Principal of Edinburgh; and was therefore a man of great power and influence. Moreover his wife Janet Douglas was herself the daughter of Morton and the Princess Joan, "the dumb lady", who was daughter of James I.<sup>3</sup>

By this marriage Lord Seton established a connection with the Bothwells and with the Royal Family, which has to be taken into account in considering the actions in later years of his successors.

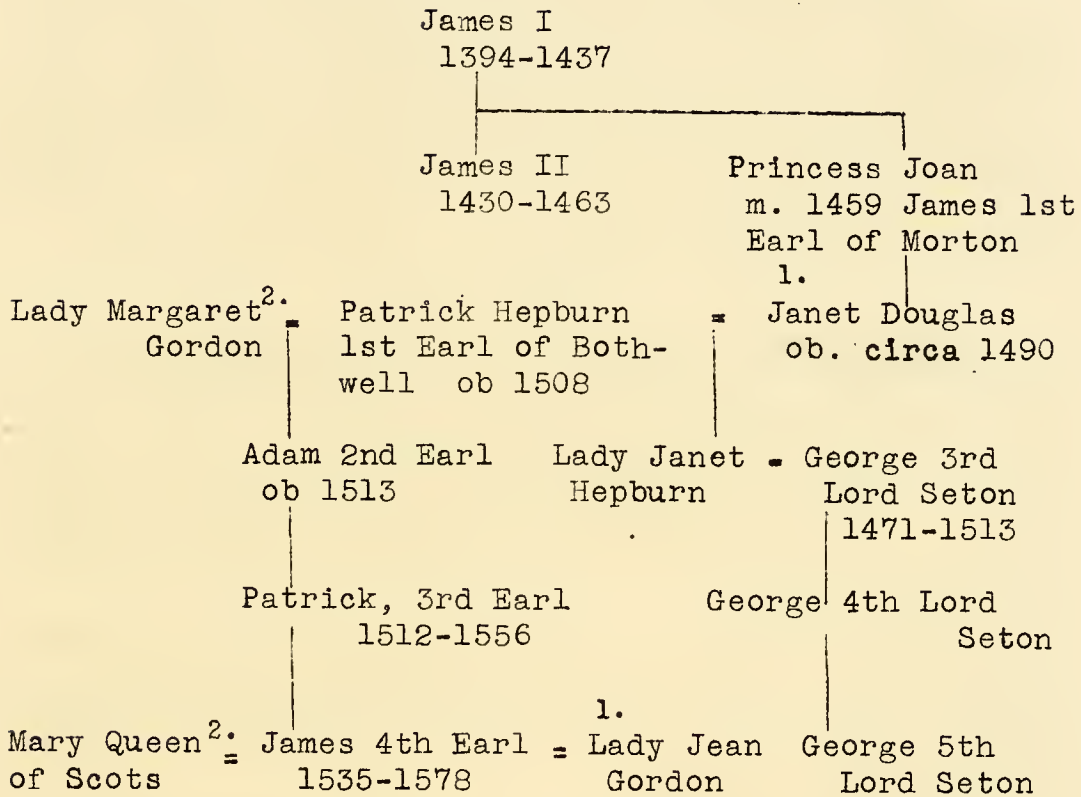
1. Reg Mag Sig XV. 5. 6 April 1508.

2. Acta Dominorum Concilii XVIII part II. 30.

3. Scots Peerage II. 152, 153.



This relationship is shown in tabular form below:-



From this it will be seen that Queen Mary's husband, the 4th Earl of Bothwell and George 5th Lord Seton had a common great grandfather in Patrick 1st Earl of Bothwell.

Lady Janet inherited great wealth on her father's death in 1508. This enabled her husband to redeem the estates of Barns, Winchburgh and Tranent which had been mortgaged by his father. This was done in 1511/12.<sup>1</sup>

In April 1910 Lord Seton had a licence from the King to go abroad for 3 years and 40 days.<sup>2</sup> Unfortunately for himself he did not go but devoted himself

1. Reg Privy Seal III 137, 171; IV 172.

2. Reg Privy Seal IV 63.

to the improvement of his property.

In the Church at Seton he re-roofed the structure with stone, paved it, and put in windows, "cylerings" (canopies) over the altar and "daskis" (desks). He also completed the house of Seton with a "jammay hous" (projecting wing) which his father had commenced, raised the "turngreis" (spiral stair) and repaired the dungeon. His most important architectural achievement, however, was the building of Niddrie Castle near Winchburgh.

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King James IV had now ruled twenty years with great success, and had practically stamped out the revolts which occurred in his early years, settled the Western Highlands and placed his nobles in their proper place. His relations with England had been markedly improved, and his marriage to Margaret Tudor had established relations with Henry VII which almost amounted to friendliness.

Henry VII died in 1509, and Henry VIII succeeded, and from that time until "the flowers of the forest" were a' wede awa" at Flodden the old troubles revived; during 1511 relations both abroad and at home became increasingly strained.

In that year was formed the "Holy League", to which Pope Julius II, Ferdinand of Aragon, Maximilian of Austria and Henry VIII belonged, with the object of driving Louis XII of France out of Italy; and the Scottish King could not stand by and see his old ally attacked by overwhelming forces. Acts of hostility between the two nations at sea and on the Border had broken out, and the personal relations of the two monarchs were becoming strained to breaking point. Seeing what was coming James had busied himself with creating an artillery for his army and the construction of a navy, and had shown himself an administrator of high order in both directions.

Henry was set on war with France, although he knew that such action involved war with Scotland.

James, on 26th July 1513, sent the Lyon King to Henry with a message which was virtually a declaration of war, and dispatched a fleet under Huntly's son, James Gordon of Letterfourie, to help the French, and mobilised the land forces. Henry at this time was in France.

Operations commenced with an unfortunate raid on Northumberland under Alexander Lord Horne, known as the "Ill Raid". James himself was not a competent general, though personally fearless. On 22nd August he crossed the Tweed and captured Norham, Etal and Ford without opposition; but, on 8th September, the English Army under Thomas, Earl of Surrey, attacked James at Flodden and inflicted on him a crushing defeat in which there was a nearly complete extinction of the leading families in Scotland.

Historians of all succeeding times have given completely erroneous ideas of the strategy and tactics of the two sides, the numbers engaged and the casualties. The latest, and probably most accurate work, is the book "Flodden" by Mackenzie, which gives a different account. After the action there was certainly no pursuit, as the English were too exhausted to move, and Surrey, "the 'auld crookit carle", who had watched the fighting from his chariot, was unaware until next day that the shattered remnants of the Scots Army had withdrawn.

The King was killed, and with him 13 Earls, 2 Bishops and 15 Lords. Some forty Setons and Gordons shared his fate, including George Lord Seton, Sir Alexander Seton of Touch the Armourbearer, and John Seton of Parbroath.

Lord Seton's chaplain, John Seton, was present but escaped to England. In consequence of a quarrel with one Gray, resulting in the death of the latter, he fled abroad and took the name of Tytler and became ancestor of the Setons bearing the surname Fraser-Tytler.

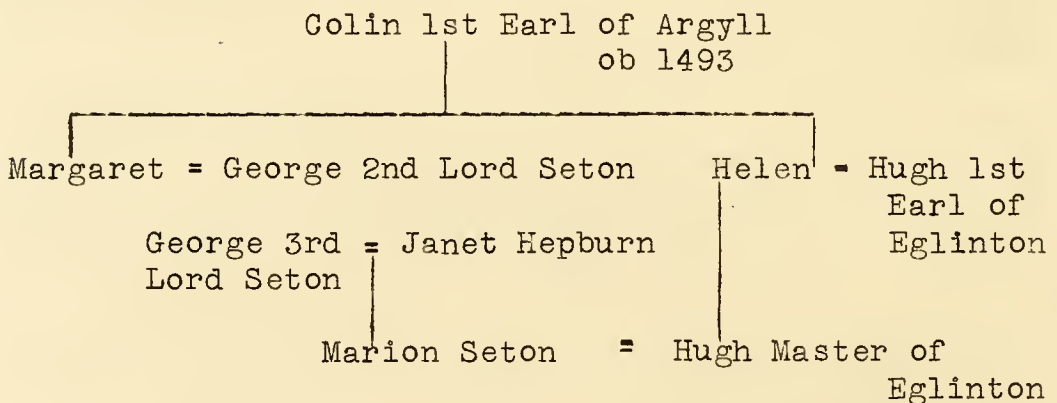
After the action Lord Seton's body was recovered

and "brocht hame, furth of the said feild, and erdit  
 "(buried) in the queir of Seytoun, besyd his fader".

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By Janet Hepburn he had issue:-

1. George who succeeded.
2. Archibald who died aged fifteen.
3. Marion who first married Thomas, Master of Borthwick. The marriage is said to have been annulled on the grounds of consanguinity. In February 1531 she married Hugh, afterwards second Earl of Eglinton, having obtained a dispensation in June 1539.<sup>1</sup> This was the first connection with the Eglintons, and it resulted in a later Earl of Eglinton being a Seton. The relationship between



In June 1547 she was tried, but acquitted, of "art and part" of the slaughter of Neil Montgomery of Langschaw.

In March 1553 she married thirdly Alexander Graham of Wallastoun, and died in September 1561.

1. Fraser: Memorials of the Montgomeries 1.37, II 38; Scots Peerage V. 291.



Lady Janet Hepburn, Lady Seton.

ob 1558.

Lady Janet was one of the many remarkable women who, having married into the Seton family, exercised a great influence on its fortunes.

On her husband's death she devoted herself to her young son George until he came of age. She then retired to the Convent of St. Catherine of Siena on the Burghmuir of Edinburgh, which was founded before January 1517/18, principally, if not entirely, at her instance,<sup>1</sup> and was certainly erected at her expense.

The Convent was destroyed by the English in 1544 and the Nuns were dispersed.

In 1541 Lady Janet made large extensions to Seton Church<sup>2</sup> building the "north croce yle", removed and rebuilt the south aisle which had been erected by Lady Catherine Sinclair and rebuilt it "to make it ane perfect and proportional croce". She also put up the steeple, leaving it, as it is now, truncated at the top; and built two chambers for prebendaries upon vaults. These still exist, in ruins.

She founded these prebendaries with an endowment from lands of her own "conquest" (obtained) in her widowhood, viz. the Templar Lands of Spenslands in East Fortune, and the Templar Lands of Settone.<sup>3</sup>

She gave dowries to all her grandchildren and left money "to be gevin to hir frenids, poore folk, and religious places"; and Nisbet says she paid for the construction of the bridge over the Esk at Musselburgh which still exists.

Finally she left a Charter of Foundation of the prebendaries "for the weal of her own soul", and the souls of her husband and son. This was confirmed by the Archbishop of St. Andrews 1556.

She died after 10th May 1558, and is buried in Seton Church.

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1. Bull in Register House. No. 44 of 29.1.1518.

2. Historical Monuments Commission. E. Lothian 116.

3. Harleian MSS. 14b.; Seton: Family of Seton II 846.

After Flodden.

To quote Sir Richard Maitland again, it is necessary here to make "ane lytill degressioun".

Flodden may be regarded as the end of a period, and for the next half century the history of Scotland was profoundly affected by the Religious Revolution which swept over the country. The rights and wrongs of that movement can not be considered here; it was one of the paroxysmal exhibitions of emotion which periodically spread over continents, and are irresistible. It swept over Scotland, submerging old landmarks, metamorphosing the outlook of men, bringing the sword between man and his brother, and changing everything permanently.

Looking back it must be frankly admitted that the old Church, through its own failings, had ceased to retain its original hold on the people; it began to be regarded as an obstacle to progress, mental, political, and even spiritual. And eventually men rebelled against it, - and did so in the worst possible way, as they have in all past and later revolutions, and will do in all future ones.

It is impossible here to pursue in detail the mad-nesses of John Knox and his disciples.

Religion has always been, and still is, mixed up with Politics; and it is, in practice, impossible to decide in the case of any historical event, at this point of time, whether Religion determined the political view or vice versa, or whether the event itself was not merely the resultant of the two factors.

Religious changes were in the air in the reign of James I and before it. Even before the English Parliament, the Scots Estates legislated for the burning of heretics. The first burning of a Lollard in Scotland took place in 1406; and went on. Fifteen years after Flodden Patrick Hamilton was burnt, and the new opinions began to spread rapidly. In 1546 Cardinal David Beaton was murdered, partly on political but chiefly on

religious grounds; and so he followed Wishart the reformer. Wishart's mantle fell on Knox, who was an iconoclast, - a term which usually implies the destruction of something that is or was beautiful, in order to substitute something totally devoid of beauty.

This end he and his followers achieved.

In this Revolution the family of Seton in all its branches was involved - at first mainly in opposing it. Rightly or wrongly - and this is no place to discuss whether they were right or wrong - they recognised that it meant the death of all they stood for. They were no religious martyrs in the ordinary sense; perhaps none of them would have faced being burnt by an Edinburgh mob for a matter of doctrine. But they did what they could to prevent the materialisation of its menace to their ideals; and, even when they knew the new movement meant the death of the Stewart line along with the old religion, many of them devoted their energies for over a hundred and fifty years fighting it; and, in the process lost all they had.

The Setons were shrewd men. They must have known they were playing a losing game; but they had a definite ideal before them - personal loyalty to the Stewarts and to the old Religion; and they followed it to its inevitable conclusion. They had risen with the Stewarts, and they disappeared out of history with them; but, while the end was in doubt, they never accepted rebuffs or admitted defeat without further effort.

The cynic will say that is the price that has to be paid for following Lost Causes. What the cynic fails to see is that, to certain temperaments, the effort to prevent causes being lost is often in itself a satisfying incentive.

Flodden left Scotland again with an infant King, the play of rival parties. The casualties she had suffered in her national leaders placed the government, more than formerly, in the hands of those whose policy was to support France; opposed to them was the rapidly increasing number of surviving nobles and territorial

lairds who, under the influence of the Reformation, tended to turn towards England and to throw in their lot with her.

Until 1527 when James V assumed the reins of government the country was torn with intestine strife. The Queen Mother, her second husband Archibald Earl of Angus, John Duke of Albany the next heir to the throne, and James Earl of Arran kept up an internecine warfare which exhausted the country, and made it alternatively the plaything and the enemy of England; and Border troubles continued unceasingly.

James opened his reign by visiting the Border, with a large force, victualled for a month, in order to hunt. They had great sport, 360 stag, and then "after this hunting, he hangit Johnnie Armstrong and his complices, to the number of thirty-six persones, of the whilk thair were mony sorrowfull, baith in England and Scotland", (Pitscottie)

James remained faithful to his old faith, to his own undoing. His uncle Henry VIII however had renounced it, and stood out among the monarchs of Europe as a marked man. It was essential for him to detach Scotland from her old alliance with France and to draw her towards England. He induced James to arrange a truce at Berwick, in 1528 for five years, but failed in his attempt to arrange a marriage between him and the Princess Mary of England.

Raiding went on on the Border, from both sides. Finally, in 1533, an English army under Northumberland once again sacked Lothian and reported that it had not left "one peel, gentleman's house nor grange unburnt".<sup>1</sup>

Peace was renewed in May 1534, but was sorely strained by the marriage of James on 1st January 1536/7 to Madeline, daughter of the King of France.

That marriage was of short duration, as Madeline died a few months later; but on 17th June 1538, James repeated his offence by marrying Marie de Lorraine,

1. State Papers Henry VIII VI. 680.



daughter of the powerful Duke of Guise, a bitter enemy of England. She was the widow of the Duc. de Longueville, and Henry VIII, on the death of his wife Jane Seymour, himself wished to marry her even after the betrothal to her of James.

In August 1542 hostilities again broke out, and an English Army under Sir Robert Bowes, accompanied by Angus and his brother Sir George Douglas, entered Teviotdale and was beaten by Huntly at Haddonrig. Henry then sent in a second army under the Duke of Norfolk, and, on 24th November, there was a second Flodden at Solway Moss. James died a few days later, and his death plunged the country into chaos.

His gallant widow, the Queen Mother, was faced with the impossible task of steering a course between the English party in the country which supported the desire of Henry VIII for a marriage between his son Edward and the infant Mary, and the French party which insisted on the necessity for a French alliance.

The English party at first succeeded, and in July 1543 by the Treaty of Greenwich, the marriage with Edward Tudor was agreed to. These plans were however checkmated by Beaton, the influence of the Church, and the hatred of England among the people. The little Queen was removed to a place of safety and the Treaty was repudiated.

In 1544 Hertford, with a large army, surpassed all previous records of barbarism in the Eastern Lothians and the Border, and a reign of terror continued until French assistance improved matters. By this time Henry had died, but his policy was continued by Hertford, now Duke of Somerset and Lord Protector. He again crossed the Border and on 10th September 1547 inflicted another crushing defeat on the Scots Army at Pinkie.

The English won their battle, but they lost the Queen of Scots. French troops came over in 1548 and the English were gradually forced to withdraw; and the young Queen was sent to France.

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George 4th Lord Seton.

1503-1549.

George succeeded his father as a lad in 1513, and was brought up by his mother who, Maitland says:-

"gydit her sonnis loving quhill he was cumit to  
"age"

In October 1513, in spite of his tender years, he was served heir to his father in Seton, Winton, Tranent, Winchburgh, Easter Binning, Clentis and Hartshead; and had sasine of them at the same time.<sup>1</sup>

He lived to see one King killed in battle, another die of a broken heart, and the troublous infancy of that Queen whose name must always be associated with tragedy. During the reigns of the last two he took an active part in public affairs.

Soon after his becoming engaged to Elizabeth Hay of Yester in 1527, perhaps in consequence of it, he was "delatit" (accused) of the serious offence of having absented himself from the Army at Solway, but was pardoned and a "precept of remission" issued on 4th January 1528/9.<sup>2</sup>

Lord Seton was a favourite at Court and "weill  
"experimentit in all games, and tuk grit plesour in  
"halking, and was holden the best falconar in his dayis"  
(Maitland). He was a personal friend of the King who, more than once, as a mark of esteem, gave him the escheated property of persons who had been declared rebels.

In 1533 he was appointed an Extraordinary Lord of Session,<sup>3</sup> and in 1539 Governor of Edinburgh Castle. On 15th March 1542/3 he became a Privy Councillor, and, later, was placed on the Committee of Dooms.

When Norfolk invaded Scotland in 1542 Seton, along with his kinsman Huntly and his wife's uncle Archibald Earl of Angus, commanded the force which hung on the

1. Harleian MSS. 4693. fol. 15a; Exchequer Rolls XIV 516.

2. Reg Privy Seal 4020. 4 Jan. 1528/9.

3. Acta Parliamenti II 414 b.

flanks of the invading columns,<sup>1</sup> and induced their withdrawal. It is uncertain whether he was present at the disaster of Solway Moss on 24th November.

In July 1543 he was one of the Commissioners for Scotland who drew up the Treaty of Greenwich,<sup>2</sup> and, although he appeared to assent to the marriage, his subsequent actions suggest that, like other Catholic nobles, he had no intention of seeing it brought about.

When Cardinal Beaton was arrested in January 1542/3 and lodged in Blackness Castle - or possibly in Seton - the Regent Arran put Seton in charge of him; the Cardinal escaped, no doubt with Seton's connivance. Knox and Buchanan say he was bribed; Sadler, the English ambassador, says Arran told Seton to let Beaton go,<sup>3</sup> while the Hamilton papers say that Seton's action was in return for the promise of an advantageous marriage for his two daughters.

In December 1543 the French party - Huntly, Moray, Bothwell, Seton, Argyll and others drew up a "band" renouncing the Greenwich Treaty and renewing the alliance with France.<sup>4</sup>

In May 1544 Hertford, as already stated, invaded the country, and, in reporting to Henry VIII, admitted that "the like devastation had not been made in Scotland these many years".<sup>5</sup> In an anonymous "Anciente Account of the Expedition in Scotland 1544", referring to the damage done at Seton, Tranent and Fauside, the writer says:-

"they did Lord Seton the more despyte because he  
"was the chief labourer to help their Cardinall

"out of prison, the only auctor of thair calamytie" <sup>6</sup>.  
The escape of Beaton and his return to power, followed

1. Henry VIII Letters & Papers VII 638.

2. Foedera XV. 4.

3. Sadler: State Papers 1. 37.

4. Acta Parliamenti II 595a.

5. Hamilton papers II 350.

6. Dalrymple: Fragments of Scottish History 74.

by the defection of Arran from the English cause had been a very sore point with the English. The same motives no doubt impelled them to destroy the convent of St. Catherine de Siena outside Edinburgh, which had been built by Seton's mother Janet Hepburn. Maitland says that the castle and place of Seton were burnt on this occasion, also the timber work of the Church.

When the invading force retired on 17th May they were held up temporarily at the Pass of Pease by Home, Buccleugh and Seton.

Seton was apparently not present in the invasion of 1547 - the fourth in five years - or at the battle of Pinkie.

He died at Culross 17th July 1549 and was temporarily buried in the Abbey there as the English occupation made Seton Church or that of the Franciscan Friary at Haddington impossible. He was however subsequently reinterred in Seton "in the queir tharof, besyd his "father".

His name frequently appears in the records in connection with lands.

On 28th July 1531 he had a Royal confirmation of a sale to him by his father in law, John Lord Hay of Yester, of the lands of Gammylstoun and Reidishill in Yester.<sup>1</sup>

On 2nd August 1539, having resigned the lands and barony of Winchburgh and Upcragy into the hands of the King, he had them confirmed to him, for good service, and incorporated in the free barony of West Niddry;<sup>2</sup> the castle of that name, which had been started by his father, was repaired and extended by him.

On 13th March 1541/2 his town and lands of Tranent were, "pro speciali amore" of the King, erected into a free barony with various privileges as regards markets, and the right to elect its own bailies.<sup>3</sup>

1. Reg Mag Sig XXIV. 188.

2. Reg Mag Sig XXVI. 291.

3. Reg Mag Sig XXVIII. 179.



Finally on 12th March 1540/1 the lands of Dundas, which had long been in the family, were absorbed into the barony of West Niddry.<sup>1</sup>

Maitland says he had a feu of ecclesiastical lands in Kirkliston from Cardinal Beaton; also others, in Dalkeith and Lasswade.<sup>2</sup>

### Marriage.

In April 1527 Lord Seton married Elizabeth Hay, daughter of John third Lord Hay of Yester and Elizabeth daughter of the Master of Angus.<sup>3</sup> By her he had issue:-

1. George who succeeded.

2. John born 1532, to whom, on 18th May 1545, he gave the lands, house, manor and mill of Wountoun (Winton) to himself and his heirs male,<sup>4</sup> failing whom to his next brother James. John married Isabel daughter, or niece, of David Balfour of Cariston, Fife. He died about 1573 and from him came the family of Setons of Cariston.

3. James is not mentioned by Maitland, but is referred to in the above mentioned charter of Winton.

4. Jean died in infancy.

5. Marion As a young woman she was "Servitrice" or lady in waiting to the Queen Mother, Marie of Lorraine.<sup>5</sup> She married in October 1548 John fourth Earl of Menteith and had two sons and a daughter. On his death in January 1565, she married as his third wife John, tenth Earl of Sutherland, and, with him, was poisoned and died at Dunrobin under mysterious circumstances on 23rd June 1567.<sup>6</sup>

6. Margaret married Sir Robert Logan of Restalrig

1. Reg Mag Sig. XXVIII 160.

2. Douglas Peerage II 644.

3. Acta Dominorum XXXVII 136.

4. Reg Mag Sig XXIX 230.

5. Acts and Decrees VIII 371.

6. Scots Peerage VIII 342, 583.

and died in January 1565. This was a case of the Crown granting to subjects the gifts of marriages of Royal wards. In 1542 Seton had a letter of gift of the marriage of this Robert Logan,<sup>1</sup> and utilised this by marrying him to his daughter.

7. Beatrix married, February 1567, George eldest son of Sir Walter Ogilvie of Dunlugus, and had issue.<sup>2</sup>

8. Helenor. After her father's death she was contracted to marry Francis, son of Hugh Douglas of Borg.<sup>3</sup> For some reason not stated this marriage did not come off, and acute resentment on the part of the Seton family resulted. A feud arose, and in 1565 several members of the family, including the fifth Lord Seton, severely injured Francis.<sup>4</sup>

The lady married on 11th February 1557 Hugh, Master of Somerville, afterwards seventh Lord Somerville, who deserted her in 1586. She sued him for adherence and aliment and obtained aliment on 11th June 1588.<sup>5</sup> By him she had twelve children.

She retired to Tranent and died about 1603.

The marriage of George fourth Lord Seton and Elizabeth Hay involved certain connections with the Royal House, and blood relationships with the families of Lennox and Angus, which undoubtedly had much to do with the political outlook of Seton himself and his successor. This relationship may be indicated

1. Reg Privy Seal XVII 27.

2. Register of Bonds II 1566/68.

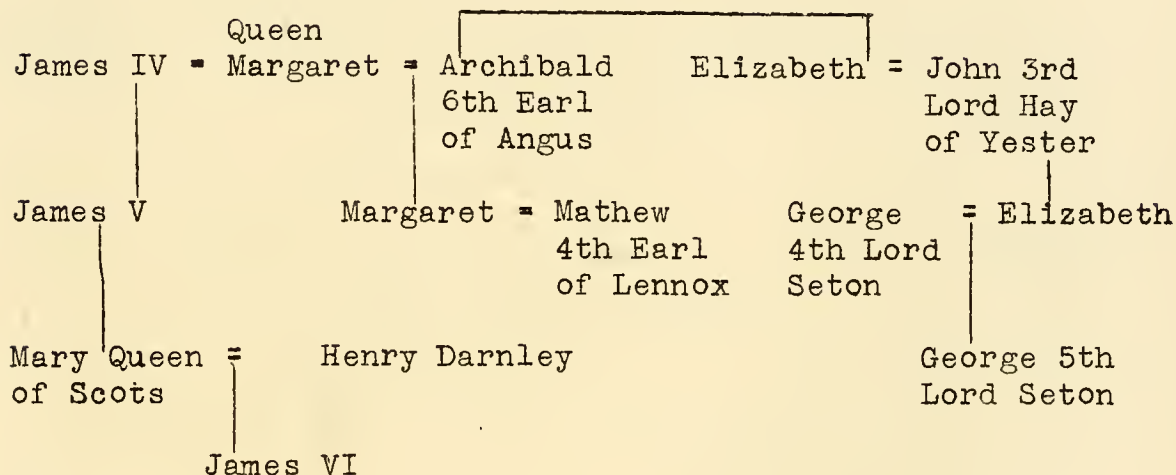
3. Acts and Decrees IV 51.

4. Pitcairn: Trials (Bannatyne Club) Part II 465.

5. Scots Peerage VIII 24.

graphically as follows:-

George Douglas, Master of Angus, killed at  
son of 5th Earl of Angus. Flodden  
1513



Lord Seton was, therefore, first cousin of Margaret Lady Lennox, the mother of Darnley; and Darnley and George 5th Lord Seton were cousins once removed.

Elizabeth Lady Seton died before 1539.

In February 1538/9 Lord Seton "hand fasted" Marie Pieris or Pyeres, a French lady who had recently come to Scotland in the train of Mary of Lorraine, Consort of James V. He subsequently married her formally,<sup>1</sup> and she was officially styled as his spouse.<sup>2</sup>

By her he had issue:-

1. Robert, who on 22nd February 1563 had a charter of confirmation<sup>2</sup> of the lands of Myles and Greendykes in the barony of Tranent, which had been given him by his father in 1548. He does not appear to have had any descendants.

2. James had from his father the lands of Myltown

1. Scots Peerage VIII 584; Treasurer's Accounts VII 140.

2. Reg Mag Sig. 22 Feb. 1562/3.

in Tranent. He died before January 1562/3.<sup>1.</sup>

3. Marie was probably born about 1541. She was one of the "Queen's Maries", the "life long companion of Mary Queen of Scots. (see below).

Among the Balcarres Papers<sup>2.</sup> is an undated one from "Marie Pyerris, Lady Seton" to the Queen Mother, which must have been written before the removal of the young Queen to France in August 1548, warning her that Lord Seton had heard of a plot by the Regent, Arran, to kidnap the child.

After her husband's death Marie Lady Seton married Pierre de Clovis or Cluise, Seigneur de Bryante, and as Madame de Bryante her name appears as one of the ladies in waiting of the Queen of Scots between 1562 and 1567.<sup>3.</sup> She was probably the "old Lady Seton" who was in the Queen's train at the marriage with Darnley.

In the deposition of "French Paris" it is stated that he saw Madame de Bryante in the Queen's chamber after Darnley's murder

"Le Lundy matin .. Ledict Paris dict qu'il entra  
"dans la chambre de la Royne, laquelle estoyt bien  
"close, et son lict tendu du noyr en signe de  
"dueil, et la chaudielle allumee dedans la ruelle,  
"la ou Madame de Bryante luy donnoyt à desieusner  
"(i.e. déjeuner) d'ung oeuf frais".<sup>4.</sup>

In August 1570 she went to Dunkeld to a Council of the Queen's friends, with the Countess of Athole and Mary Fleming, which came to be known as the gathering of the "Witches of Athole". From here she wrote to the Queen, expressing anxiety about the health of her daughter Marie de Seton. The letter was intercepted.

1. Acts and Decrees XXV. 248.

2. Balcarres Papers. (Sco. Hist. Soc.) 1-246.

3. Acts and Decrees VIII 622.

4. Anderson: Collection relating to Mary Queen of Scots II 202  
Inventories of Mary Queen of Scots. Preface LII.



and, on account of her reflexions on public affairs, she was imprisoned for a short time.<sup>1</sup>

Her husband died in 1570, but she remained in Scotland till 1574 when she returned to France with letters from the Queen recommending her to the Archbishop of Glasgow and the Cardinal of Lorraine. In one of these from Sheffield, 13th November 1574, the Queen refers to her as "une bonne et vertueuse dame" "et ancienne servante de la feue Royne, ma mère", and, in another as "La bonne dame de Seytoun".<sup>2</sup>

She died in 1576.

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George 5th Lord Seton.

1531-1585.

George Seton was probably born in 1531, and, in his childhood, must have had experience of the fact that his home life was liable to interruptions at the hands of English invaders. Four times in the space of five years they swept over Lothian, and once they had practically ruined his father's estates.

This, and the fact that he had a French step-mother when he was eight years old, accounts for his being sent to France for his education. There he made friendships at Court which no doubt contributed towards giving a definite bias to his public life. His own sister Marion was lady in waiting to the Queen Mother, and his half sister "the Queen's Marie" was the companion of Mary Queen of Scots, whom he must have known personally since childhood.

He succeeded his father in 1549, and his curators were his kinsman old Sir Richard Maitland of Lethington and his uncle the fourth Lord Hay of Yester, neither of whom was Anglophile. He was indeed so closely connected by birth, tradition and marriage with all who

1. Diurnal of Occurrents 185, 186; Pitcairn. Trials 1. 14.

2. Labanoff: Lettres de Marie Stuart IV 238, 239.

counted in public life in Scotland at the time that he could scarcely have avoided coming to the front.

When his father died Arran, the Regent, granted to the daughters of the late Lord Seton the ward and marriage of their brother. They renounced this right when he married in 1550 at the age of nineteen, for a sum of a thousand pounds.<sup>1</sup> The lady of his choice was Isabel Hamilton, daughter of Sir William Hamilton of Sorn, Treasurer of Scotland and a Lord of Council, who was a close kinsman of the Regent.

Such a marriage might have resulted in Seton identifying himself with the Hamilton family; but he recognised that his interests as well as his inclinations lay with the party of the Catholic Queen Mother and with France rather than with the Protestant Arran and the English party. This soon led to trouble, and in September 1552 he was summoned by Arran "to underly the law for convening the Queen's liegis at Haddington".<sup>2</sup>

On 19th May 1550 he was served heir to his father in the lands of West Niddry; on 2nd May 1552 in those of Seton and Winton; and in those of Winchburgh on 5th Oct. 1557.<sup>3</sup>

In accordance with custom he had, as a minor, interdicted himself from alienating any of his inheritance. On 7th May 1554 he and his curators obtained a relaxation of the interdiction.<sup>4</sup>

Lord Seton's first public appointment was a Commissionership of Justiciary on 19th May 1554.<sup>5</sup> The date of this coincides closely with that of the demission on 10th April of the Regency by Arran (who had been created Duke of Chatelherault in France) and its assumption by the Queen Mother.

1. Acts and Decrees 1556/1558.

2. Treasurers Accounts X. III.

3. Harleian M.S.S. 4693. 14b; Reg. Mag. Sig. XXXI. 236, 237.

4. Acts and Decrees X. 231.

5. Exchequer Rolls XVIII. 70.

In 1557 Lord Seton and eight other Commissioners were sent to France to arrange details of the marriage of the young Queen Mary and the Dauphin, which had been agreed to by the Scottish Estates on 7th July 1548. In the following year they went over again to the wedding.<sup>1.</sup>

"Att the which time the said Lord George had ane  
"noble present sent him of silver plate by Henry  
"the second, then King of France, with ane yearlie  
"pension of 1200 francks".<sup>2.</sup>

He was fortunate in escaping the ill fate of his colleagues, of whom four appear to have been poisoned on the way home.

On his return, in October 1557, Seton became Lord Provost of Edinburgh, a position in those days of considerable political importance. Frequent references to him in that capacity occur in the Council Records, and from these it is evident that he was in opposition to the Reformation which looked with deep disfavour on the Queen Regent.

Nevertheless, though his sympathies were all on her side, he objected to any attempt by the Crown, to infringe the liberties of the burgesses; and, when a tax of £1200 was imposed on certain young men in lieu of military service, he placed it on record that this action was "ane noveltie" and contrary to the laws, and refused to give his assent.<sup>3.</sup>

Lord Seton's methods were heavy handed, and on more than one occasion he seized and confined individuals of some local note in the Pit at Seton, regardless of public opinion or the orders of the Privy Council. Opposition to his official actions in the Council he was wont to deal with summarily, as, on one occasion, he committed Guthrie the Common Clerk and Bailie Baron to the Tolbooth. The prisoners appealed to the Council and Lord Seton was called upon for an explanation,

1. Acta Parliamenti Scot II 501, 504; Leslie: History II 378.

2. Kingston: Continuation of the House of Seytoun - 55.

3. Edinburgh Burgh Records 23rd Nov. 1557.

which he declined to give.

On another occasion he imprisoned another of the Bailies, Forester by name, in Dunbar Castle. He announced that this action was not in his capacity of Lord Provost,

"bot be verteu of ane greitar office and powar  
"committit to him be the Queny's Grace at this  
"present"

One of the charges subsequently brought against him was that he had taken on himself the protection of the Black and Grey Friars,<sup>1</sup> and, at the elections on 27th October 1559, in spite of the efforts of the Queen to secure his re-election, he was ejected from the office of Provost, as "a man without God, without honestie, and oftentimes reasoun, who troubled the brethren" (Calderwood).

In December 1557 the first political consequence of the new Religion appeared in Scotland, in the form of a "Band" or Agreement, signed among others by the Earls of Argyll, Morton and Glencairn; and the signatories among the Nobility assumed the title of "Lords of the Congregation".

In the following year they petitioned the Queen Regent to grant the rights of public prayer in the vulgar tongue, of explaining the Scriptures etc., and urged the reform of the "wicked, slanderous and detestable life of the Prelates and of the State Ecclesiastical".

They followed this by another more sternly worded petition, but got no satisfaction from Mary of Lorraine, who refused to submit their petitions to the Estates; and events moved rapidly in the direction of the destruction of the old Religion.

John Knox landed in Scotland on 2nd May 1559, and, within a month, he and his supporters had destroyed many of the oldest churches and had brought to a head the growing discontent of the popular party with the

1. Knox; Works I. 256.



French policy of the Queen Regent.

In September 1559 the Duke of Chatelherault went, in a fit of religious fervour, to Glasgow and caused the images and altars in the Cathedral and other churches to be destroyed; he also took possession of the Archbishop's Castle. When news of these events reached Dunbar, the Archbishop, at Edinburgh he hastily returned to Glasgow with a party of French troops, "supported by Lords Seaton, Semple and Ross" to recover the Castle; on their approach the Duke fled.<sup>1</sup>

According to Knox Lord Seton had at one time shown some leanings to the new Religion, under the teaching of the reformer Willock. If this be true he had long resiled from that position.

Matters rapidly came to armed conflict between the two parties, and Perth, Dundee and St. Andrews rapidly fell to the Confederate Lords. Mary hastily put Leith in a state of defence, and the Lords entered Edinburgh.

"The Quene, sair offendit with this furie that the peiple brake the Images .. sche sett Lord Seytoun over Edinburgh, and thair of made him Governor, quha at last for a tyme dantouned thair hardiness and put down thair pride".<sup>2</sup>

At this time the anonymous writer of "Intelligence out of Scotland",<sup>3</sup> writing on 10th November 1559, reported that

"the arle Bothwell, the Lord Borthwick and the Lord Seaton are with the Queen Dowager, and taketh a plaine parte with her; and no other noblemen of Scotland".

Shortly after Knox and the Lords had left Edinburgh, Seton and Huntly endeavoured "to solicit all men to condescend to the Queen's mind" by allowing Mass in St. Giles and letting every man follow his own religion. Seton, who had been excommunicated by the reformers,

1. Records of Glasgow. October 1559.

2. Leslie: History II 383.

3. Cott. M.S. Caligula BX. fol. 52.

heard that one Alexander Whitelaw was on his way to join Knox at Stirling and promptly "brak a chaise upon "him", in his belief that he was Knox himself.

In the following January English ships entered the Forth and the Queen Regent's position became very serious. For some months guerilla fighting went on, and Seton "had severall sharpe raincounters" while serving with the French troops.<sup>1</sup> The Lords, assisted by English troops, failed to capture Leith; and it was only after Mary's death in Edinburgh Castle on 10th June 1560 that a compromise was arrived at, which temporarily placed the Congregation in power and secured the unmolested withdrawal of the French Army.

The Protestant triumph was now general.

At the end of the year the King of France died, and, on 19th August 1561, his widow the young Queen Mary, returned to her native land as Queen of Scots.

Before her death the Queen Regent had recognised Lord Seton's services by the grant of pensions of £460 to his son Robert, £340 to John and £260 to Alexander, all to be taken from the "maillis and dueties" of Melrose Abbey. This grant was ratified by the young Queen in a "letter of Gift to Seton" dated Joinville 17th April 1561.<sup>2</sup>

Seton appears to have gone over to France soon after the Queen's death, and was probably concerned in the plans for landing French troops in Berwick, which never matured.<sup>3</sup> Throckmorton met him in Paris and said that Seton told him he had been "evilly" used in Scotland, but intended to return there "and live and "die a good Scotchman".

He came back in the retinue of the young Queen.<sup>4</sup> He was immediately sworn a Privy Councillor,<sup>5</sup> appointed

1. Knox I. 389, 393.

2. Reg. Privy. Seal XIX 40.

3. Calendar of State Papers Scotland, Series I. 167.

4. Cal. of State Papers. Elizabeth. Foreign 1560/61 - 225.

5. Exchequer Rolls XIX. 233.

Master of the Household, and offered an Earldom - which he refused. It was in connexion with this refusal that the Queen, to quote Kingston - "caused write these "verses in Latine and French

"Ylia des contes, des Roys, des Dues aussi;

"cet assez pour moy d'estre Seigneur de Seton" <sup>1</sup>.

The Queen visited him at Seton, which had come to be styled Seton Palace, in January 1562, and again more than once during her reign.

Bothwell and Seton, both men of hasty tempers, had recently quarrelled. In November 1561, the Queen insisted on Seton entering into a bond to keep the peace. The quarrel was made up and their relations were, thereafter, friendly enough.

Lord Seton's movements were still the object of suspicion to Cecil's spies, and in January 1562 an English agent reported that he had disclosed certain French designs on Berwick, - probably to deceive the English. <sup>2</sup>.

During the next three years his name does not appear very frequently, though Randolph, the English Ambassador, wrote to Cecil in January 1565 about the "cumber" (friction) between Seton and Morton, - a condition which continued until the latter's downfall in 1681.

The Queen's marriage to Darnley - who was Seton's cousin - in July 1575, was followed by trouble with the Protestant Lords. Moray, the Queen's bastard half brother, was outlawed, and joined them in arms. Conflicts with the Queen's forces, known as the "Run-about Raid", ended in their defeat, and the leaders fled to England. Seton took no part in these proceedings as he and Bothwell had been sent to France, <sup>3</sup>.

1. Kingston: Continuation of the House of Seytoun 57.

2. Register of Deeds VIII 532.

3. Cal. State Papers. Scotland. Series I. 207, 220.

probably in connexion with the Counter-Reformation movement initiated by Philip II of Spain and Charles IX of France. The safe conduct asked for from Elizabeth on this occasion stated he was going on private affairs, "for doying of his awin bissnes". 1.

Randolph however suspected there was more in the matter, and wrote to Cecil on 4th July 1565:- 2.

"It is saide that the Erle of Bothwell and Lord Seatone are sente for, and are feat men to serve in thys worlde. It is wysshed, if thei do arryve in England thatt theie might be putte in good suarty for a time".

Elizabeth ordered them to be stopped, but they got safely to Scotland on 22nd September 1565.

Soon after his return Rizzio was murdered, on 9th March 1566. It is unlikely the Lords had confided the conspiracy to Lord Seton; there are however reasons to believe that the original intention was to murder Rizzio at Seton Palace while in attendance there on the Queen, but that this was frustrated. 3. After the event Mary and Darnley went to Seton, and when they returned soon after to Edinburgh they were escorted by Bothwell, Huntly, Seton and Home. 4.

Again, after the murder of Darnley, the Queen took refuge at Seton Palace.

It has been stated that Lord Seton was one of the signatories of the "Band" at Bothwell's famous supper at Ainslie's Tavern on 19th April 1567. This document declared belief in Bothwell's innocence of Darnley's murder and assented to his marriage with Mary if she would consent. His name however does not appear in the list. 5.

The marriage took place on 15th May 1567, and was at once followed by serious trouble. Leaving Borthwick Castle they fled to Dunbar, and summoned their

1. Labanoff. I. 258.

2. Cal. State Papers. Scotland Series I. 207, 220.

3. Schiern: Life of Bothwell 70.

4. Hatfield M.S.S. 335 27th March, 1566. Bedford to Cecil.

5. Scots Peerage VIII. 586. Note 8.



adherents. On 14th June Mary slept the night at Seton,<sup>1</sup> and Lord Seton accompanied her force to the ignominious affair which took place at Carbery Hill next day, which ended Mary's reign.

Bothwell fled, and Mary surrendered to the insurgent Lords and was lodged in Lochleven Castle. From that prison, on 24th July 1567, she was compelled to sign papers conveying the Crown to her infant son, and appointing her bastard brother Moray, Regent. This appointment was regarded as a personal affront by Chatelherault and the entire Hamilton family, who at once set about embarrassing the Regent.

Lord Seton and his friends, and his half sister the "Queen's Marie", who had accompanied her into confinement, were not defeated, and succeeded in effecting Mary's escape on 2nd May 1568. Dressed in Marie Seton's clothes and accompanied by the gallant young Douglas and an attendant, she was rowed ashore and received by Lord Seton and taken by him to Niddry Castle.<sup>2</sup> It is said that

"quhen shoe was come to the land they horsett her  
"imediattlie with gladness on all sydes".

A testimony, from an unbiassed source, to the part taken by Lord Seton in this affair, is given in a letter<sup>3</sup> by Giovanni Carrer, Venetian Ambassador in France, writing to the Seigneury on 6th June 1568, in which he describes Seton as:-

"the chief instrument and leader in effecting the  
"Queen's escape".

According to a contemporary Latin M.S. in the Vatican, Seton had already made an earlier plot to attack Lochleven Castle in an armed vessel, but the governor received a warning.<sup>4</sup>

1. Diurnal of Occurrents (Bannatyne Club) 114.

2. Claude Nan: Hist. of Mary Stuart (1883 Ed.) 91.

3. Rait: Mary Queen of Scots 131.

4. Stevenson: Memoirs of Mary Stewart, quoting Politica Varia LXVI. 313 in Vatican Secret Archives.

From Niddry Mary and Lord Seton went to Hamilton, where her supporters rallied to her. <sup>1.</sup> On 12th May she reached Langside, by Rutherglen with a force said - but no doubt erroneously - to number 8000 men. Her intention was to reach Dumbarton Castle, which was still held for her by Lord Fleming.

Here however Moray, with a large force, met her, and an action ensued.

The fighting only lasted three quarters of an hour, but that sufficed to destroy the Queen's Army. She herself fled, and her evil genius directed her to England from which she never returned. And so closed her tenure of the Scottish Throne, brief and troublous; and she set out on the via dolorosa of living death which was to close in her murder at Fotheringhay nineteen years later.

Among the numerous prisoners taken at Langside was Lord Seton who was at once taken before the Regent. Moray rebuked him as being "the prime author" of the tragedy, and threatened to execute him. His reply was characteristic:-

"Let others decide what I deserve .. But I would

"have you know that, even if you cut off my head,

"as soon as I die there will be another Lord Seton" <sup>2.</sup>

As usually happened in those days of conflicting parties the defeated had to suffer in their properties for their misfortunes.

On 1st July 1568 there is a Royal Letter of Gift, under the Privy Seal, conveying "to Margaret Seytoun, "daughter to George Lord Seytoun" of all the latters estates in Tranent, then in the hands of the Crown

"by reason of escheat .. for art and part of the

"treasonable convoying of our Soverane Lordis

"donest moder furth of the fortalice of Loch Leven

".. and thereafter treassonablie comin in plane

1. Calendar of State Papers. Scotland. Series II. 650.

2. Politica Varia LXVI. 309. Vatican.

"and arrayed battell aganis His Majestie at the  
"Langside". 1.

Lord Seton was not only forfeited but was taken to Edinburgh Castle. How it came about that he was not executed for his rescue of the Queen it is difficult to understand, especially as Moray must have known how far he was responsible for his own temporary eclipse in 1565.

Apparently he remained in the Castle until October 1568. Mary, on 21st June 1568, wrote from Carlisle to her uncle, the Cardinal of Lorraine, appealing for assistance "to all my good servants, and among others "poor Lord Seton".

"qui est en danger d'avoir la tête tranchée, pour  
"avoir été ung de mes delivreurs de prison" 2.

In October 1568 Mary succeeded in inducing Elizabeth to address Moray on Seton's behalf, and to have him removed from the Castle, where plague was raging. 3.

Moray evidently decided it would be dangerous to kill him, and in June 1569 a pass from Berwick to London was granted to Lord Seton by Elizabeth, to enable him to go to France. 4.

Meanwhile Lady Seton was convicted - or accused - of trying to get correspondence through to Mary and was ordered

"to pas furth of this realme, under the paine of  
"deid".

She ultimately joined her husband in Flanders.

Lord Seton was not released until 1569, and, in December, he was summoned to enter his person in ward in St. Andrews Castle. 5. This summons, if he ever got it, he ignored.

1. Reg. Privy Seal XXXVII. 73.

2. Labanoff: Lettres de Marie Stuart II. 162.

3. Cal. State Papers. 10 Oct. 1568.

4. ib. series I. 271.

5. Reg. Privy Council II. 24, 69.

The Queen kept in touch with him. On 10 December 1570 she wrote to him from Sheffield telling him to take orders from Ferdinand, Duke of Alva, the Spanish Viceroy in the Low Countries. In this letter she says:

"J'ay toute fiance en vous... faites selon les  
"occasions, ainsi que (vous) avez accoutumé, qui  
"est bien".<sup>1.</sup>

It is doubtful whether this letter ever got further than Cecil, but in August a similar communication on her behalf, telling him to apply to Alva for help, was sent to him.<sup>2.</sup>

By this time his financial condition was desperate, and Kingston, in his History of the family, says he was driven to earn his living by working as a waggoner. Eventually, however, credentials arrived from Chatelherault, and the Earls of Huntly and Argyll,<sup>3.</sup> and he went at once to see what he could do to obtain pecuniary and other assistance for the Queen from Spain.

At this time there were two Scots regiments in the employ of the Estates of Holland, which happened to be in a mutinous condition, and Seton's plan was to get them to transfer their services to the Duke of Alva.<sup>4.</sup> Kingston says

"He used sic extreme diligence amang thame, be  
"banquetting and bribbis that he subornit the  
"best halfe".

The object of the Queen's party in Scotland was to induce Spain to land 10000 men in the country, but Alva was not prepared to embark on such an enterprise when his own position in Flanders was none too secure. While negotiations were in progress the Estates General got information of the plot and Lord Seton was seized.

When confronted with proofs of his activity he

1. Labanoff III. 132.

2. Foedera XV. 687; Warrender Papers I. 95, note 98.

3. Catalogue of M.S.S. Scotland 1505/1603. Brit. Museum Cal. C.II.

4. ib. ib. Foedera XV. 687.



declined to submit to trial by "sic unhonest knaves or "infamous rebellis as thair were". He was then subjected to what was, in those days, euphemistically called an examination:-

"bot, although he was laid upon the racke and his  
"body extendit, his courage was na lesse for all  
"that, and baid thame do, gif thai durst".

Meanwhile the "Scottis Captaines" got wind of the affair and secured his release.

Seton then returned home, and, after Moray's assassination on 23rd January 1570, he joined other Lords in addressing Queen Elizabeth on behalf of Queen Mary, in a petition dated May 1570. Shortly afterwards Lennox, the new Regent, made his position impossible. He suspected him of being in communication with the Duke of Alva, and, in order to prevent further trouble, summoned him to come and answer the old charge of rebellion as an accessory to Mary's escape from Lochleven.

The Queen's Lords - Chatelherault and the Earls of Huntly and Argyll - decided to get Lord Seton out of the country, and, on 10th August 1570, gave him a letter of credentials to Alva, as their plenipotentiary.

Accompanied by Lady Northumberland he went across to the Low Countries, and remained abroad for nearly two years. The Queen, writing from prison to Alva on 18th April 1571,<sup>1</sup> asking for help and reinforcements, spoke of Lord Seton as:-

"du tout fidèle et entier subject et serviteur...

"après l'honneur du Dieu il n'a autre fin devant

"ses yeux que son devoir envers moy".

Her correspondence with Alva and others shows that she was receiving reports from Lord Seton; and, in her pathetic letter "à ses serviteurs bannis" dated 18th September 1571, she asks that a copy be sent to him.<sup>2</sup>

At the end of 1571 Hunsdon wrote to Burleigh that

1. Labanoff: Lettres de Marie Stuart III. 270.

2. ib. III. 381.

Lord Seton had returned bringing with him 10,000 Crowns for the Queen's party.<sup>1</sup> Actually on his journey home his ship was driven ashore on the Suffolk coast, and all his papers detailing his relations with Alva were captured.<sup>2</sup>

On his return to Scotland Lord Seton found Lennox dead, and the country divided between the King's party under the Earl of Mar, a supporter of the Reformation and of better relations with England, and the exiled Queen's party. Moreover Morton had returned from England, and there was soon a troublous period which came to be known as the "Douglas Wars".

The summer of 1572 brought a cessation of hostilities. A truce or "abstinence" was arranged, by the good offices of France and England in August; and the Queen's party, Chatelherault, his son Lord Claud Hamilton, Huntly, and Seton and his sons left Edinburgh, leaving it to Mar. It was during this time, - and not in 1570, as Calderwood states - that Seton raised his supporters and

"bragged that he would enter in the town, and

"cause beat a drum in despite of all carles".<sup>3</sup>

The threat was carried out.

When Mar occupied the town the Castle, under Kirkaldy of Grange, held out against assault and siege until May 1573. English troops, under Sir William Drury with modern guns, forced its surrender. It is interesting to find that of two commissioners who were appointed to "receive and keep the castle" one was Mar's nephew James Seton of Touch.<sup>4</sup>

In October the Earl of Mar died, and was succeeded by James Earl of Morton, who held the office of Regent for six years.

1. Calendar of State Papers, Scotland. Series I. 271.

2. Labanoff: IV. 41.

3. Calderwood II. 560.

4. Burgh Records of Glasgow (Maitland Club) 99.

Lord Seton's position now became impossible. His absences abroad had deeply involved him financially and politically; it was obvious neither Spain nor France was going to help the captive Queen by force of arms; and, one after another, the Queen's Lords had had to bow to the inevitable.

Seton had to do the same thing; and on 9th April 1573 James Seton of Touch, Dundas of that ilk and Johnstone of Elphinstone became cautioners for his allegiance to James VI and obedience to the Regent.<sup>1</sup> He was at once appointed a Privy Councillor, and his name appears as such in the Council records on 3rd June 1573.<sup>2</sup> On the other hand while the King was honouring him, the Established Church showed its dislike of him by again excommunicating him.<sup>3</sup>

For the next two years or so Lord Seton's name does not come to the front. He certainly continued to correspond with the Queen, and, early in 1575, he sent his son Sir John Seton of Barns to Spain in her interests; he himself and his eldest son Robert went to Paris in 1577, and in the following year to the Low Countries. This mission was apparently unsuccessful and on 9th May 1578 the Queen wrote to the Archbishop of Glasgow:-

"Je suis bien marrye (grieved) du mauvais traitement que M. de Seton a receu en Flandres.

"Son meilleur sera de retourner en Escosse".<sup>4</sup>

Lord Seton was back in Scotland in March 1578 when, after a broken period in his Regency, Morton had re-assumed power. A Council was held at Stirling, and, while there, Lord Seton committed the grave indiscretion of seizing one of Queen Elizabeth's messengers, who was on his way to visit Bowes,

"without respect to that humanitie and courtissie  
"that is credit to persons beiring the charge of  
"sic a Princesse".

1. Reg. Privy Council II. 212; Cal. State Papers Scotland, Series I. 372.
2. do. II. 233.
3. Bellesham: Catholic Church in Scotland III. 241.
4. Labanoff: V. 40.

Morton gladly took this opportunity of declaring him a rebel and putting him to the horn.<sup>1</sup> No further action was taken against him at the time, but in 1579 he was accused of harbouring a servant of the Archbishop of Glasgow, and of making away with certain articles of clothing belonging to the King. For these offences Lord Seton and his sons Robert, John and Alexander were imprisoned, first in Brechin Castle<sup>2</sup> and then in St. Andrews. Even in their confinement, however, Morton was obviously afraid of them, and released them on 12th June 1579 on their giving a bond "to becum dewtifull "and obeydient servants" and to cease from holding communication with Lord Claud Hamilton, who was Seton's son in law.<sup>3</sup>

Morton retained his ascendancy for a short time longer. In September 1579, however, Esme Stewart Lord of Aubigny, nephew of the late Regent Lennox and cousin of the King, arrived in the country. This very clever and entirely unscrupulous young man speedily ousted Morton from the King's favour, and was created Earl of Lennox in March 1580. In December 1580 he induced the King to have Morton arrested on the charge of complicity in Darnley's murder.

By the irony of fate Morton was handed over to Lord Seton, who took him for safe custody to Dumbarton Castle. He was brought to trial in May 1581, Seton being one of his judges. The result was what might have been expected, and his execution followed on 1st June 1581. Seton and his sons, mindful of their own recent experiences, took pains to secure a good view of what happened by removing a stair which interfered with their view of the scaffold.

Soon after Morton's fall there was a meeting at Seton Palace at which Lennox, Huntly, Seton and other

1. Reg. Privy Council III. 11.

2. Hatfield M.S.S. II. 256. 14 May, 1579.

3. Reg. Privy Council III. 182.



nobles of the Queen's party reaffirmed their loyalty to the Queen and Pope. Writing on 26th Sept. 1581 Father Robert Parsons reported to the General of the Jesuits that Lord Seton "favoured the Catholic cause"; and Cardinal Allen, on 18th February 1582, said he was one of the supporters of the King of Spain and was prepared to procure the signatures of others to a Band to that effect; also, that Mass was regularly celebrated at Seton Palace, and that he alone, of all the Privy Council, remained constant to his religion.<sup>1</sup>

Morton's death resulted in the rapid rise of Seton and his family in Royal Favour. He himself was again appointed to the Privy Council, was appointed Admiral, and "First Master of the Household", the position he had occupied under Queen Mary, years previously.<sup>2</sup>

Once again the political position was thrown into confusion by the so-called "Raid of Ruthven" when the King was kidnapped on 22nd August 1582 by the Earls of Gowrie and Mar, Lord Lindsay and others of the Protestant Lords. James was forced to banish Lennox, to send ambassadors to establish friendly relations with England, and to restore the "thirds" of the benefices to the Reformed Church. In June 1583, however, James escaped, and the Catholic Lords rallied round him.

James immediately, having failed to get a satisfactory reply from Queen Elizabeth as to his ultimate succession to the English Crown, attempted to renew the old treaty of friendship with France; and, on 26th October 1583, he sent Lord Seton to Paris with full powers<sup>3</sup> to negotiate a renewal of the Treaty.

Accompanied by his sons John and Alexander, Seton reached Paris in December, where he took every opportunity of inducing Henry III and Catherine de Medici to come to Queen Mary's assistance<sup>4</sup>—an attempt which

1. Forbes Leith: Scottish Catholics 178.

2. Reg. Privy Council XLVI. 116; XLVIII. 32.

3. Reg. Privy Seal XLIX. 174; Harleian M.S.S. 4693. 23b.

4. Lalanoff V. 453, 560.

was obviously outside his official mission. The French King however did not find the opportunity a favourable one, and, in the months of negotiation which ensued, Lord Seton found himself overwhelmed by the expense of his entertainments. He was at last driven to pawn his plate, and even the guns of his ship; in a letter to the Queen, which was intercepted, he reported on 16th September 1583 that his mission to France was being undertaken at his own expense.<sup>1</sup>

Making no headway with the King of France Lord Seton appealed to Pope Gregory XIII for assistance for James who was "reduced to extremity".<sup>2</sup> To this letter no reply has been traced.

Writing to Walsingham from Paris in 1584 Stafford says that Seton's chief object had been to negotiate a marriage between James and the Princess of Lorraine.

His funds having completely failed Lord Seton left Paris with some secrecy and reached Scotland about the end of October 1584. His first action was to sit on the Assize which tried the Earl of Gowrie not only for the Raid of Ruthven but for a later attempt to take up arms.

In a document dated 15th July 1584<sup>3</sup> entitled "Notes to be presentit to my Lord Hundsden," the writer, Colville says:-

"Lett thame be urgit to declair what prievy  
"dealing thair haf with France. Quhat dois the  
"Lord Setounis lang abode thair signifie, and his  
"frequent conferencies wth the Bischopis of Glasgo  
"and Ross, wth the Spanish Ambassador, Papal  
"nuntios and Scottis Jesuitis? Quhair of was  
"Sir John Seton his sone sent into Spain?"

This document shows how suspicious of Lord Seton and his sons were the English representatives abroad.

1. State Papers of Sir. R. Sadler II 373;  
Hatfield M.S.S. III. 54.

2. Thenier: Annales Ecclesiastici III. 598;  
Seton: Family of Seton II. 906.

3. Bannatyne: Miscellany I. 87.

Once again Seton went to France, but returned at the end of the year. With the Protestant James Stewart, the newly created Earl of Arran, in power, his political career was at an end. Even the young King was cold to him, and Fontevay, writing to Mary on 15th August 1584, said:-

"Toute la maison, des Setons est haïe et  
"discreditiè de sa Majesté, à cause du Conte  
"d'Arran, qui les poursuit cruellement. Le Roy  
"ne me parle d'eux qu'il ne se moque ou du père  
"ou de l'un de ses enfants, les tenant pour gens  
"fols, avouant néanmoins leur fiddité".<sup>1</sup>

"Foolish people, but faithful" was the opinion of the King, on whose mother's behalf Lord Seton had devoted thirty years of service, suffering forfeiture, imprisonment, and financial loss.

Lord Seton retired into private life, and died on 8th January 1586. It has been stated above that, while in Paris, the expenses involved in his mission for James VI had seriously embarrassed him. In December 1584 he and his eldest son were formally escheated for non payment of a debt owing to an Edinburgh burgess, and his nephew George Seton of Cariston had a gift of the escheat.<sup>2</sup>

Loyalty, untempered by consideration for his own interests, was Lord Seton's dominant characteristic. Too proud to accept an Earldom, for services voluntarily rendered, he was not too proud, when "banished for "his loyalty" after the Queen's defeat at Langside, to earn his living in a foreign land as a carter, while he carried out his tortuous plans for his mistress. If he had thrown in his lot with the Protestant party and the English Queen, as did so many of the Scots nobility, his career would have been a more

1. Hatfield M.S.S. III. 54.

2. Reg. Privy Seal LI. 56.

successful one. As it was he lived every minute of his public life, supporting what he must have known was a Lost Cause, and always making his enemies hate him while they feared him.

The English Government, certainly, never had any doubt as to his loyalty. His name, and those of his sons, appear in a document dated October 1585,<sup>1</sup> containing a

"Note of such noblemen and gentlemen in Scotland  
"that be affectioned to France, receauers and  
"maynteyners of the enemies to God and to our  
"Prince".

He showed great skill in keeping in touch with the Queen during her imprisonment; in fact Stafford, writing to Walsingham on 21st June 1584, said:-<sup>2</sup>

"I marvel which way the Queen and Lord Seton and  
"that party have intelligence one from another".

The close personal friendship between the Queen and Lord Seton is shown by the frequency of her visits to Seton Palace. It was from there that she wrote to Elizabeth in January 1562, pressing for an interview for the discussion of their differences and her ultimate succession to the English Throne; and there is little doubt that, on this and other occasions when she strove in vain after a better understanding with her cousin, Lord Seton was one of her principal advisers.

At Seton<sup>3</sup> she spent her short honeymoon, and there she escaped with Darnley after Rizzio's murder; and, in the following year, after Darnley's murder, she sought the same refuge and issued the proclamation denouncing those who accused Bothwell of responsibility for the crime. Finally, Mary and Bothwell went to Seton from Dunbar with their small army, on their way to meet the rebel Lords at Carbery.

1. Hay: Estimate of the Scottish Nobility 44, 45.

2. Hatfield MSS. III. 41.

3. Randolph to Cecil 16. 7. 1565.

Cott M.S. Caligula BX. 311, 340.



To her, the victim of circumstances over which she had so little control, the inscription in stone "in great guilded letters above the great doore at "Seytoun palace"

Un Dieu, Une Foy, Un Roy, Une Loy must have brought her considerable relief. The Queen showed her practical appreciation of his services while she had the power to do so. She made him the Master of the Household, and offered him an Earldom, which he declined; in 1561, before she left France, she ratified pensions, which had been previously awarded by her mother, of sums varying from £460 to £260<sup>1</sup> to his sons Robert, John and Alexander, charged against the estates of the Abbacy of Melrose. At the same time she granted to Lord Seton personally the temporality of the Lands of the Cistercian Priory of Pluscarden in Morayshire "till an intrant to the said "Priory shall be entered thereto by the Queen". The next "intrant" was his son Alexander, afterwards Earl of Dunfermline, to whom the estate was granted on 17th Sept. 1565, "in recognition of good services rendered "by George Lord Seytoun".<sup>2</sup>

Judged by the standards of to-day Lord Seton can not escape criticism; like most men, he showed the defects of his great qualities.

The times were hard, and these little incidents can not be fairly judged by modern standards. If a neighbouring landowner captured his corn on the way from Niddry to Edinburgh, can it be wondered at that Lord Seton, "mountit on horsbak", with a following, and sallied forth and brought the offender back a prisoner?

These are the actions of the man who had stood by Marie of Lorraine, Queen Mary and James VI, and his

1. Reg. Privy Seal XXX. 40.

2. Reg. Privy Seal XXXIII. 98.

own religious beliefs when he stood in a hopeless minority. He repeatedly faced the Lords of the Congregation, regardless of penal enactments fines and imprisonment, and the excommunication which was the favourite and cowardly weapon of the Established Church; he also habitually "harboured" priests and encouraged celebrations of Mass in his church; and English Papists found in Seton Palace a certain refuge.

The outline of his life given above shows that his motives were disaffected, thus differing from those of his contemporaries - whether Lords of Congregation, Queen's Lords, or Ministers of the new church. He appreciated, no doubt, that the Crown, the Church and the social system, as he and his ancestors had known them, were in the melting pot, and that out of it would come something less fair though more efficient; he knew he could not prevent the changes, any more than the Queen or the Catholic hierarchy could do, but he preferred standing out on the losing side, practically alone, rather than accepting the new regime and the opportunities it offered of self-advancement.

There was, indeed, nothing of the Saint about this man of "hard and lewd speeches"; but the history of Scotland would have been different if there had been many more men like him.

In his scanty leisure Lord Seton had two great interests, sport and architecture. Golf and archery were a feature of the entertainments at Seton Palace, and hawking was another hobby; but horse racing was his favourite sport, and he instituted an annual race in Haddington for a silver bell. The Burgh records of Haddington of 10th May 1552 show that, on that day, he had won his own prize.

But architecture was his passion and he was said to have been "one of the greatest builders of that age". The activities of the English invaders in his father's lifetime gave him ample scope for the practice of his taste. The old Castle had been burnt, and Lord Seton restored it on such a grand scale that it was ever

afterwards called Seton Palace.

He also restored the church and replaced the bells which had been stolen. One bell, bearing his arms and name, is still in the steeple, showing it was cast in 1577 by one Adrian Steylaerd in Holland. The contemporary records show that in private life he was a hasty man in his dealings with his fellows, and careless of the consequences.

Surrounded, as he was, by many of his near kinsmen and by his sons who strongly resembled him in temperament he was involved in certain unfortunate incidents which came to public notice.<sup>1</sup>

Thus, in 1550, he entered on a contract of marriage, on behalf of his sister Helenor, with Hugh Douglas of Borg, whose son Francis was to marry her and receive the tocher of 2500 merks. For some reason the marriage did not come off, and the lady married the Master of Somerville. The whole family bore a grudge against Francis Douglas, possibly because of his relationship to the Earl of Morton, which ended in a serious assault. In 1565 Lord Seton, his brother John Seton of Cariston, Walter Seton of Tullibody, and James Seton of Lathrisk were summoned

"to underlie the law and part of the mutilation of

"Francis Douglas of Borg, of his right arm and

"left hand, at least of the middle finger thereof;

"thereby rendering him impotent of the same".

They were all declared rebels, put to the horn, and fined 2000 merks; however they were pardoned by the King.<sup>2</sup> In April 1469 the parties arranged an amicable arbitration on the matter of damages, with the Regent Moray as arbiter, and it was agreed that Lord Seton should pay him 2200 merks and give him the teind sheaves of Longniddrie for 19 years.<sup>3</sup>

1. Acts and Decrees IV. 51.

2. Pitcairn: Criminal Trials I. part 2. 465.

3. Register of Deeds X. 77.

In a letter dated 16th August 1561 to the Earl of Rutland,<sup>1</sup> Sir William Cordell reported that he had heard "there should be great business between Lord

"Yester and Lord Seton for a quarrel between them". Again on 16th July 1564 Randolph referred to certain quarrels among the nobility, especially of one between Seton and Morton. Writing to Maitland from Paris on 31st May 1571 Lord Seton admitted he had had "high words" with the Queen Mother.<sup>2</sup> In 1581 Hunsden told Walsingham that, in his official capacity of Vice Admiral, Lord Seton's methods were high handed and that complaints addressed to him resulted in "nothing but lewd and hard speeches" - with, in one case, a hint that the pressing of a claim might possibly result in his being "shote with a harquabuse".

Finally, in connexion with one James Crichton in 1578, Lord Seton is described as "a man regairding na thing the ordinar forme of justice".<sup>3</sup>

Niddrie Castle, which was commenced by the third Lord Seton who was killed at Flodden, was completed and finished by Lord Seton in 1567 as indicated by an inscription on a tablet formerly over the East window, which bore the legend:-

Lord George Seton of his age 36. 1567. 4.  
It was to Lord Seton that Sir Richard Maitland, who had been one of his "curators" as a boy, dedicated his "History of the House of Seton" on which so much of the knowledge we have of the early history of the family depends. That work closes in March 1561 and was subsequently continued to the year 1687 by Alexander first Viscount Kingston, Lord Seton's great grandson.

1. Historical MSS. Com: Rutland Papers 12. pt.4 - 75.

2. Calendar of Scots Ppaers 1 - 316.

3. Reg. Privy Council III. 11.

4. Seton: Family of Seton I. 172; II. 804.



### Marriage.

Lord Seton, at the age of nineteen, married in August 1550 Isabel, daughter and heiress of Sir William Hamilton of Sorn and Sanquhar in Ayrshire, High treasurer, and Lord of Council.<sup>2</sup> He belonged to an early cadet branch of the family of Hamilton.

Maitland, who may have had accurate information on this point, says that there had been friction between Chatelherault the Regent and his brother John Hamilton, Archbishop of St. Andrews, who was "sumthing "scharp" to him on the one hand and to young Seton on the other in connexion with some Church Lands at Kirkliston, which had been given to Seton's father in feu by Cardinal Beaton. Seton, accordingly, thought it wise to ally himself with a lady of that powerful family, especially as his future father in law was "maist "substantious nixt my Lord Duke's self", and "for re-sonable tocher" gott the confirmation of the disputed lands.

James V is said to have been present at their wedding at Sorn. On Sir William's death the lands and castle passed to his daughter, and were subsequently disposed of by the first Earl of Winton, her eldest son, to Sir James Campbell of Lawers.

In commemoration of the marriage Lord Seton, in January 1562, struck a large coin or medal bearing G.S. on the obverse impaled with I.H. and the motto "Nemo potest oluobus (sic) dominis servire", and on the reverse the Seton crescents interlaced, with a thistle, and the motto "Un Dieu, Une foy, Un Roy, Une Loy".

This action was at once reported to the Privy Council by Michael Gilbert who produced the dies. These were confiscated and handed over to the warden of the Mint "to be kepit unusit or prentit within tyme "cuming".<sup>3</sup>

1. Acts and Decreeets IV. 187.

2. Reg. Mag. Sig. 6 Aug. 1554.

3. Reg. Privy Council I. 227, 228.

Two specimens of these medals still exist, in the British Museum and the Glasgow University Museum.

Isabel Lady Seton was a loyal supporter of Queen Mary and, after Langside, was ordered to go abroad, under pain of death, for trying to correspond with her. She joined her husband in Flanders. She survived her husband and died 13th November 1604 aged 75 years, and was buried in Seton Church.

By this marriage they had issue:-

1. George, Master of Seton, born about 1551 died 1562.
2. Robert succeeded.
3. John see Seton of Barns.
4. Alexander see Seton of Dunfermline.
5. William see Seton of Kyllismure.
6. Margaret born about 1554. On 1st August 1574 she married her mother's kinsman Lord Claud Hamilton fourth son of James, second Earl of Arran and first Duke of Chatelherault.<sup>1</sup> The marriage took place at Niddrie Castle. At the age of ten he had a Papal Bull, of 5th December 1553, by Julius III, granting him the office of Commendator of Paisley Abbey, on the resignation of his uncle John Hamilton.<sup>2</sup> He also, though a layman, had the offices of Dean of Dunbar, Canon of Glasgow and Prebendary of Cambuslang. He was a strong adherent of Queen Mary and commanded the van of her army at Langside. For this he was forfeited on 9th August 1568,<sup>3</sup> but was pardoned in 1573 under the Pacification of Perth, and recovered his Paisley property from Lord Sempill who had seized them.

Morton, who hated the Hamiltons, got an Act of Council passed on 30th April 1579<sup>4</sup> reviving the old

1. Register of Deeds XIII. 154.
2. Scots Peerage I. 37.
3. Acta Parliamenti III. 54.
4. Reg. Privy Council IV. 146.

charges, and he had to escape to England; and an act of forfeiture was passed against him in October 1579.<sup>1</sup> It was not until after the fall in 1585 of Captain James Stewart, who in April 1581, had been created Lord Hamilton and Earl of Arran, that he obtained a special Act of Indemnity<sup>2</sup> and returned to Scotland; he was then created a Privy Councillor.<sup>3</sup> In 1587 he was created a Lord of Parliament as Lord Paisley.<sup>4</sup>

Their eldest son became first Earl of Abercorn.

Several paintings of Lord Seton with his four sons and his daughter exist at present. The original, though said to be by Antonio More, was certainly done by the Dutch artist Poorbus. This, which is in Duns Castle, is presumably the original one. It was probably painted when Lord Seton escaped to France after Langside, as the ages inserted over the individuals' heads fix the date as 1569.

1. Acta Parliamenti III. 125.
2. Acta Parliamenti III. 353, 396.
3. Acta Parliamenti III. 338, 396.
4. Reg. Mag. Sig. 20. 3. 1591/2.

Marie de Seytoun

? 1541-1615.

Among the many faithful adherents of Mary Queen of Scots there is no more romantic historical figure than Marie Seytoun, "the Queen's Marie", daughter of George fourth Lord Seton by his second marriage with Marie Pyeres.

She was born in or about 1541 and from her earliest years lived in or about the Scottish Court. Her mother was the intimate friend of Marie of Lorraine, and, later, of the young Queen. With the traditions of her family behind her, and the training of her mother and her half brother the fifth Lord Seton it was inevitable that she should follow the line they had adopted.

In 1548 she was one of the party which accompanied the young Queen to France. Lords Erskine and Livingstone and Lady Fleming were in charge, "with sundrie gentilwomen and nobill mennes sonnes and dochtirs, almoist of her awin age; of the quhilkis thair wes four, of whome everie one borir the samen name of Marie, being of four sundrie honorable houses, to wyt, Fleming, Livingstoun, Setoun and Betoun".<sup>1</sup>

For some time after their arrival in France the four Maries were separated from the Queen

"pour lui faire oublier l'Escosse".<sup>2</sup>

Their official salaries were 100 livres annually.<sup>3</sup>

Marie returned to Scotland with the Queen in 1561, and was continually associated with her as Lady in Waiting until 1583, when, her health breaking down, she was compelled to leave her mistress.

An early reference to her is in a letter from Randolph to Cecil dated 12th October 1561, describing

1. Leslie: History of Scotland.

2. de Ruble: la premiere jeunesse de Marie Stuart.

3. Balcarres Papers (Sco. Hist. Soc.) II. LIV.



the return of the Queen's French attendants to France and saying that her Ladies, including Marie accompanied the Grand Prior to Seton Palace, "wheayre they "dined".

During the Queen's short reign she was at Court, and as her mother was a Lady in Waiting and her half brother Lord Seton was Master of the Household her life must have been a pleasant one. Unlike the other Maries she did not marry; in fact, from a romantic episode later in her career, it appears that she had definitely decided to remain single in the Queen's service.

When the Queen was on the verge of her confinement in 1566 she made a disposition of her property in case of her death. One of the legatees was "Ceton", to whom she bequeathed a ruby ring, a diamond; and, at various times from 1561 to 1563, she gave her dress materials.<sup>1</sup>

After the murder of Darnley the Queen went to Seton Palace, and Marie de Seytoun was probably "the "gentlewoman" known to have been in her train during the three months that elapsed, until Mary's marriage with Bothwell; and she is depicted in a drawing in the State Papers as she accompanied the Royal party on horse back to Carbery Hill on 15th June 1567.<sup>2</sup>

On the Queen's surrender to the Confederate Lords she was led along the High Street by Morton and Atholl, and

"pressing very close to her, came her Ladies Mistress Sempill and Mademoiselle de Seton".

When Mary was interned in Lochleven Castle Marie de Seytoun shared her imprisonment, and took a very prominent part in rendering the Queen's escape possible. The plot was arranged by Lord Seton, and it was

1. Inventories of Mary Queen of Scots (Bannatyne) 113, 127, 135, 139.
2. State Papers. Scotland. Elizabeth. Vol. XIII, No. 58; Seton, Family of Seton I. 136.

essential to prevent the Queen's absence being noticed until she had landed on the shore of the loch. Marie personated her, wearing the Queen's clothes, until this had been accomplished.

How she herself escaped is not known, nor is it certain whether she joined her mistress before the battle of Langside or at Carlisle. She was certainly at the latter place on 26th June 1568, as is mentioned in a letter by Knollys to Cecil; and from then on she continued with the Queen in her various prisons.

In 1572 the Master of the Queen's Household, John Beton, died at Chatsworth. His younger brother Andrew, who was appointed to succeed him, became enamoured of Marie. Writing in 1577 to James Beton, Archbishop of Glasgow, her agent in Paris, the Queen told him that Marie had declined to consider marriage "having made a vow to devote herself to a life of celibacy", and also on the ground of "differences of rank". She asks the Archbishop to find out whether the vow can be nullified.<sup>1</sup> On the condition of that being found possible Marie assented, and young Beton was sent to Paris to discuss matters with the Archbishop. On his way back he contracted small pox and died.

Writing about her from Sheffield to the Archbishop in August 1574 the Queen asked him to send an alarum clock for Marie Seton,

"qui tous les jours payet service tres agreable"<sup>2</sup>.

"vous scavez assez sa vertueuse vie et ses merites." Confinement, however, in prison gradually undermined Marie's health. She broke down finally in 1583 and the Queen allowed her to retire from her service; and she then went to France, after over 40 years of loyal attendance.

She went to the Abbey of Ste. Pierre aux Dames at Rheims of which the Queen's aunt, Renée de Lorraine was

1. Labanoff: Lettres de Marie Stuart IV. 341.

2. Labanoff: Lettres de Marie Stuart IV. 238, 239.

head; and there she lived for the rest of her life. Occasionally she wrote to friends at home. Thus in 1586 she wrote to de Courcelles, the French Ambassador to Scotland, saying,

"I am in extreme pain and distress at the news  
"which has reached here of a fresh trouble which  
"has befallen the Queen my mistress".<sup>1</sup>

In July 1613 James Maitland wrote to Lord Rochester that he had seen Marie,

"quha servit o'r blissit Queene fra her infancie  
"to her greitest and last extremities. She is  
"now decreipit and in want".

He then suggests that the King might "for his mother her  
"sake ... bestow on her some small somme of money to pay  
"her debts and ane annuite... She leivis be ye charitie  
"of Madame de St. Pierre".<sup>2</sup>

The date of her death is unknown; she was alive on 6 April 1615, but probably died about that time..

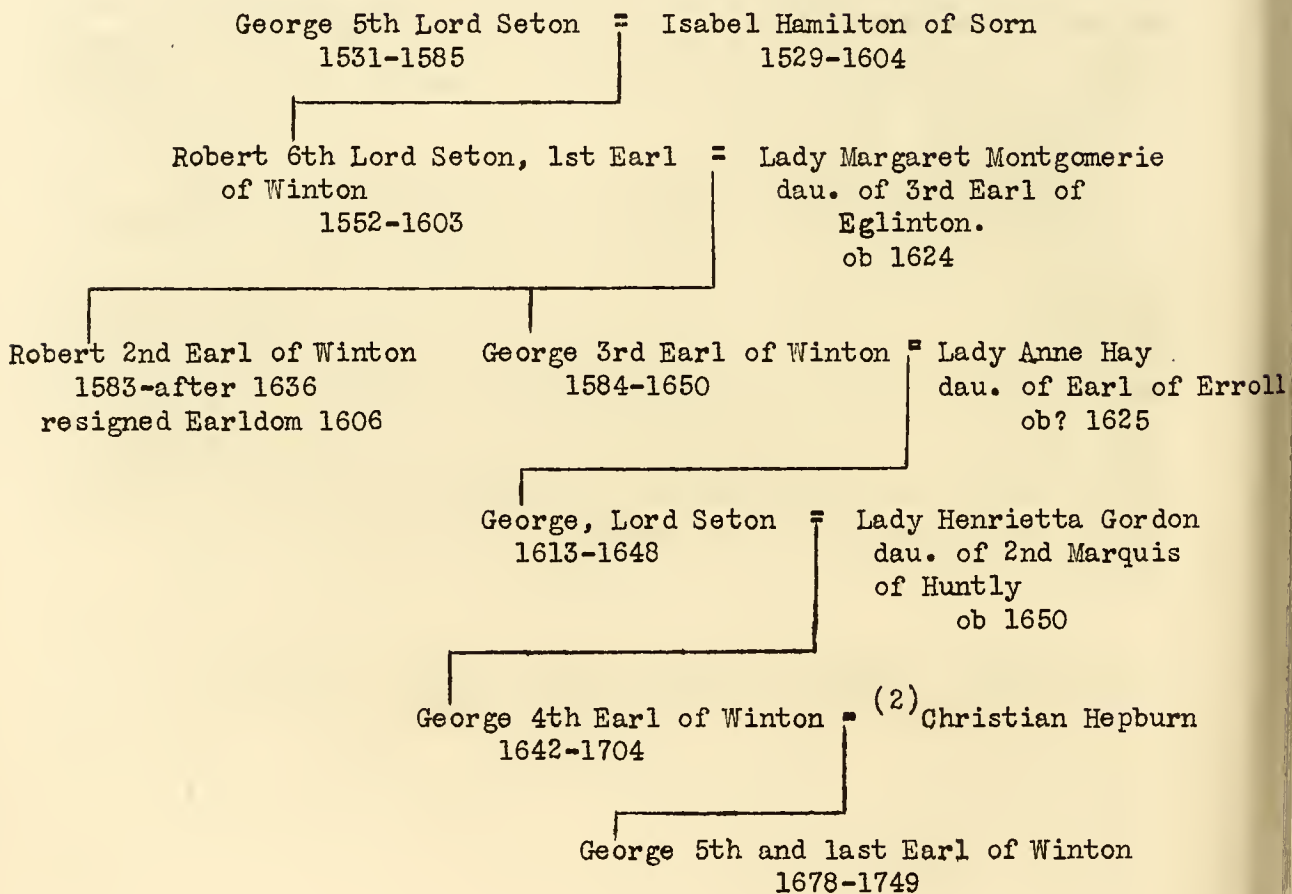
Marie Seton's outstanding feature was her complete self abnegation in her relations to the Queen her mistress. Related as she was to Lord Seton and living at Court she could have married, as the other Maries did, men of importance in the political world, or of large possessions. As it was, at the age of twenty seven, she voluntarily accepted incarceration enduring fifteen years which, at any moment, not being a prisoner of war, she could have ended by leaving her mistress..

1. Thorpe: Calendar of State Papers II 1014. No. 15.

2. Calendar of State Papers Domestic 1613/18. LXXIV # 35.

Chapter IV.The Earls of Winton.

Table of descent of the Earls of Winton from George 5th Lord Seton.





Robert 6th Lord Seton and 1st Earl of Winton.  
1552-1603.

On the death of his elder brother George about March 1562 Robert became Master of Seton and, on 20th February 1582/3, was formally served heir to his brother and was granted sasine of the lands, Lordship, and barony of Seton and Winton<sup>1</sup> by his father, who then retired to Niddrie Castle.

As a young man Robert Seton sometimes accompanied his father on his missions to France, and shared in the fluctuations of fortune which sometimes landed them in high favour at Court, and at least once in prison. On the whole however he was overshadowed by the more dominant characters of his brothers John and Alexander.

He was involved in 1585 in the events which resulted in the downfall of James Stewart Earl of Arran - arising out of the death of Lord Russell in a fray on the Border, for which Queen Elizabeth demanded satisfaction. Arran was placed in ward by King James, who, however, refused to surrender him. Failing to get satisfaction she arranged for the return to Scotland of the "banished Lords", Angus, Mar and others; they arrived at Stirling, where Arran was with the King, and, seeing resistance was not possible, Arran escaped. A slight encounter took place, in the course of which Robert Seton was captured,<sup>2</sup> but was not detained.

On his father's death on 8th January 1585/6 Robert succeeded as sixth Lord Seton. According to Lord Kingston, he came in to an embarrassed estate:

"By the great trouble he had in Queen Mary's tyme,  
"and several ambassys on his own charge to France,  
"his father left him in great debt; yet, by his  
"own hand, and by his vertious lady's good

1. Exchequer Rolls XXI - 479.

2. Woddryngton to Walsingham. Hatfield MSS. III. 213.

"government, Lord Robert putt his estate in good condition and provided his sons and daughters to good fortunes".<sup>1.</sup>

This testimony to his "vertuous lady's" capacity is interesting as yet another example of the fortunate marriages of the Setons.

He was a personal friend of the King, and had been made a Privy Councillor some time before March 1587/8 when his name appears as sitting at a meeting of the Council.<sup>2.</sup>

Like his father he entertained largely at Seton Palace, paying special attention to foreign ambassadors.

On the execution of James Earl of Morton, Regent, on 1st June 1581, John eighth Lord Maxwell was created Earl of Morton, as his grandson and heir.<sup>3.</sup> On 22nd March 1585/6 Lord Seton became surety to a bond of caution in 100,000 merks by him that, on being released from Edinburgh Castle, he "shall repaire to the burgh of Edinburgh, and keep ward in the same, till freed by the King". This cautionry terminated on 29th May.<sup>4.</sup>

In May 1586 the notorious Archibald Douglas, "parson of Glasgow" and one time Lord of Session, was arraigned for having been guilty "art and part" of the murder of Darnley. Nineteen jurymen were summoned, but only nine presented themselves, and one of the absentees was Lord Seton, who was fined £14. The explanation probably is that there was some doubt as to the King's wishes in the matter of a conviction; and the shameful result was an acquittal.<sup>5.</sup>

When James went to Denmark in 1589 to bring back his bride, Seton was appointed one of the Council of Regency during his absence.<sup>6.</sup> Later, on the occasion

1. Kingston: Continuation 63.

2. Reg. Privy Council III. 728.

3. Scots Peerage VI. 482; Acta Parliamenti III. 259.

4. Reg. Privy Council IV. 54.

5. Arnot: Criminal Trials. 13.

6. Reg. Privy Council IV. 424.

of the baptism of Prince Henry Frederick at Stirling in 1594 he was officially present as bearer of the "bason". The eccentricities and violent actions of Francis Stewart, Earl of Bothwell, were giving cause for anxiety to the Government; imprisoned in April 1591, he had escaped in June, and in December 1591 attempted to seize the King at Holyrood. He was formally attainted in July 1593, but made another attempt on the King. Writing to Burghley on 15th August 1593 the Dean of Durham said the King had sent "five severall letters" to Lords Home and Seton, urging them "to cutt the throates of "Lord Bothwell and his associates". 1.

In all these incidents Lord Seton took no very prominent part; but, on one occasion, he manifested some of the determination in political matters which characterised his father.

The King was increasingly anxious, as time passed, to secure, by force of arms if necessary, the revision of the Crown of England on the death of Elizabeth. Early in 1600 he tried to induce the Estates of Parliament, at two Conventions held at Perth, to finance the undertaking, but met with a blunt refusal. Nothing daunted, at the Edinburgh Convention held in June 1600 at which Lord Seton happened to preside, he asked for a grant of 100,000 crowns to raise a force. Lord Seton stoutly resisted the proposal, pointing out that no estimate of the scheme could be arrived at, that it was impossible to raise such a sum, and that the most that could be found was £40,000 Scots; finally he said that, in any case, England was too powerful to be overawed by threat of force.

In spite of this rebuff, however, the King bore him no malice and on 16th November 1600 he elevated him to an Earldom, with the title of Earl of Winton, not, as the Patent shows for his own merit as in appreciation of the loyalty of his ancestors:

"The King, considering that Robert Lord Seytoun is

1. Scots Peerage II. 170.

"descended of the most illustrious and ancient  
 "family, who for many centuries have borne the  
 "dignity of free barons and Lords of Parliament;  
 "and that the ancestors of the said Robert remained  
 "steadfast in fidelity towards the King ....

"He has created the said Robert and his heirs  
 "male Earls and has ensigned, invested, and really  
 "ennobled the said Earl with the said Honour by  
 "girding him with the sword and placing the cap of  
 "honour and dignity and circlet of gold about his  
 "head".<sup>1</sup>.

Mr. George Seton points out that this was the first  
 Scottish patent of peerage.

Nisbet<sup>2</sup> says that, as a "coat of augmentation",  
 the new Earl took "azure, a star of twelve points, or",  
 on an inescutcheon; and this was subsequently

"impaled with the coat of special concession

"granted to the family by King Robert the Bruce"

i.e. the crown supported on the point of a sword.

In regard to his religious views Lord Winton must  
 have abjured the Catholic Church and joined the newly  
 Established one; but his religion did not trouble him  
 much, as, as far back as 1574, it was reported to Pope  
 Gregory XIII that he had been excommunicated by the  
 Church of Scotland,<sup>3</sup> and the Haddington Presbytery Re-  
 cords show that he was frequently in conflict with the  
 Church for breaches of rules. The holding of the Sun-  
 day market in Tranent was one cause of friction, and  
 both he and his wife were charged with not having at-  
 tended Communion Services for a long time, and were  
 ordered to do so.

Lady Seton, in 1597, was "publicly admonished fra  
 "ye pulpit" and had to make a public statement of her  
 beliefs.

1. Reg. Mag. Sig. XLIV. 136. 16 Nov. 1600.

2. Nisbet: Heraldry (Ed. 1804) I. 235.

3. Bellesheim: Catholic Church in Scotland III. 241.



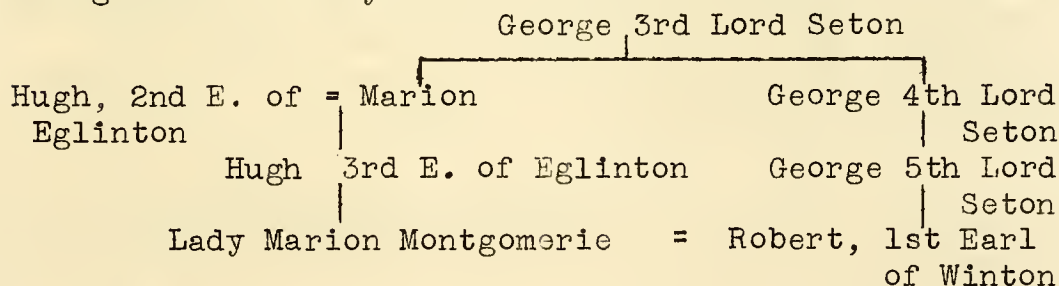
The most serious charge against them was that of "harbouring Papists", and in a confiscated letter of October 1592 which was sent to Lord Burghley, the writer, a priest, said that "My Lord Seton has a haven, "very commodious for their missions."

The Earl of Winton devoted much time and energy to the improvement of his estates, especially on the productive side. On 1st April 1591 he had a Crown Charter of the harbour of Cowkany (Cockenzie) which was erected into a free port with power to levy dues,<sup>1</sup> and power to hold a Sunday market. Here he constructed a new harbour, which, together with his salt pans at Prestonpans, rapidly became an important source of revenue.

On 14th December 1599 he obtained, apparently by purchase from William Little, an Edinburgh burgess, the lands of St. Germain's, close to Seton Palace, and had a Charter thereof.<sup>2</sup>

#### Marriage.

On 10th April 1582, as Master of Seton, he married Lady Margaret Montgomerie, daughter of Hugh third Earl of Eglinton. They were related as follows:



With her he had a tocher of 10000 merks.<sup>3</sup> As will be shown later this alliance resulted in one of their sons becoming Earl of Eglinton.

By this marriage there was issue:

1. Robert 2nd Earl of Winton.

1. Reg. Mag. Sig. XXXVIII 265; Reg. Privy Seal LXII 29.

2. Reg. Privy Seal LXXI. 96.

3. Fraser: Memorials of the Montgomeries II. 222.

2. George 3rd Earl of Winton.
3. Sir Alexander born 1588, became 6th Earl of Eglinton (see Seton - Eglinton)
4. Sir Thomas born about 1589, had a charter from his father of Holliestob or Olivestob, now known as Bankton, by Prestonpans. He married Agnes, daughter of Drummond of Corskelpy, but left no male heirs. One daughter, Margaret, married George Seton, fourth of Cariston. The property passed on his decease by sale to one Hamilton of Muirhouse in 1625.
5. Sir John of St. Germaines. (see Seton of St. Germaines).
6. Lady Isabel born 30th November 1593. She married, when fifteen years old James Drummond, first Earl of Perth, by whom she had a daughter Lady Jean. On his death at Seton on 18th September 1611 she erected a magnificent memorial tablet in Seton Chapel, where he is buried.

On 2nd August 1614 she married Francis Stewart eldest son of Francis the attainted Earl of Bothwell, and had two sons and two daughters all of whom died unmarried. Francis Stewart, on his marriage, obtained a rehabilitation under the Great Seal, and, later, Charles I granted him part of the family estates which he sold to the third Earl of Winton.<sup>1</sup>

By a charter of 12th August 1589 Lord Seton granted to his wife in life rent the Lordship and Favours of Seton, Winton, Tranent, Langniddry, Miles, Windigoul and Greendykes.<sup>2</sup>

She survived him, dying in April 1624, and left a considerable amount of money.<sup>3</sup>

1. Scots Peerage II 172; Seton Charters M.

2. Reg. Mag. Sig. XXXVII 321. 9-5

3. Commissariat Register of Edinburgh. LIII. 8 April 1624.

Occasionally Winton's name appears in connexion with legal cases arising out of local quarrels. Thus in 1593 the Haddington Presbytery was compelled to take notice of a feud, "arising out of certaine civill and "criminall causes" between the Setons and their neighbours the Hamiltons of Preston, which had become a scandal. They tried to compose the differences, but, in 1595, George Hamilton complained that he dared not pass through Lord Seton's bounds "by terror of his life".<sup>1</sup>

Previously, in 1586, he and his brother Sir John Seton, were made to give caution not to injure each other "in their bodies, lands and goods".<sup>2</sup>

The Earl of Winton died at Seton on 23rd March 1603; by a curious coincidence James VI went past Seton Palace on his way South to take possession of the English Crown just as the funeral procession was entering the Church. Commenting on this Tytler says:

"The meeting was thought ominous by the people. It appeared, to their excited imaginations, as if the moment had arrived when the aristocracy of Scotland was about to merge in that of Great Britain; as if the Scottish nobles had finished their career of national glory, and this last representative of their race had been arrested, on his road to the grave, to bid farewell to the "last of Scotland's Kings".

For a little more than a century, however, the Setons were destined to continue their old tradition of loyalty to the Stewarts. It was only when the last reigning Stewart had gone that the chapter closed.

Lord Winton's Testamentar shows that he left £3766 in goods and £6318 in debts owing to him. Among his

1. Seton: Family of Seton 1. 212.

2. Reg. Privy Council IV 64, 65, 80.

bequests was one of 2000 merks to Lady Cassillis for repairing and rebuilding the place of Winton for his son Robert Master of Seton. To his youngest son John he left 10000 merks, and to his brother Sir William 1000 merks, and the same amount to "my cousing" George Seton of Cariston.<sup>1</sup>

Robert 7th Lord Seton, 2nd Earl of Winton.

1583 - after 28th Dec. 1636

During his father's life time he was styled "Master of Seton" in the first Earl's Testamentar, and "Master of Wintoun" in a charter under the Great Seal, dated 22nd March 1603.<sup>2</sup>

When he succeeded his father as second Earl he was twenty years old, and had apparently recently married (marriage contract 29th January 1603) or was about to marry Anne Maitland, daughter of the late John, Lord Thirlestane, Chancellor of Scotland, and Jean Fleming, who had married, for the second time, John Earl of Cassillis. Anne Maitland was fourteen years old.

Under the charter of confirmation of the marriage contract it is stated that Robert Earl of Winton granted to the said Master of Winton and Anne Maitland, his future spouse, the lands and lordship of Winton.

Whether he had previously shown signs of mental instability is not known, but the marriage had a disastrous effect on him, and, on the first night of his married life, he committed a violent assault on his girl wife, only ascribable to acute mania.<sup>3</sup> Scotstarvet, who describes what happened, says that, after this

1. Seton: Family of Seton II 897.

2. Reg. Mag. Sig XLIII 326.

3. Scotstarvet: Staggering State of Scots Statesman. 13.



incident, he "lay in fetters till he died".

On 26th June 1606, by Procuratory of Resignation, he denuded himself of his estates and honours in favour of his brother George, who is styled Master of Winton. The document refers to "the tender constitution of my "personne, subject to sundrie diseasis" which resulted in

"not finding in myself sic habilite as is requirit  
"to the maintenance and government of yat ancient  
"and noble hous of Setoun".<sup>1</sup>.

His wife obtained a divorce on the ground of his impotence.<sup>2</sup> In 1634 he is referred to in a charter as plain Robert Seton. Nothing more is known about him except that he was alive on 28th December 1636.<sup>3</sup>

His wife Anne Maitland died in July 1609, aged twenty.

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George 8th Lord Seton and 3rd Earl of Winton.  
1584-1650.

The earliest mention of George is as "Master of Winton" when, on 2nd July 1606, he and his brother Sir Alexander Seton, afterwards Earl of Eglinton, were summoned before the Privy Council to answer a charge of assault "in the persute and invasioun" of James sixth Earl of Glencairn "upon the High Street of Perth", which lasted "fra seven till ten hours at night with "great skaith".<sup>4</sup> The parties were, on 23rd December, ordered to produce security for their future good

1. Reg. Mag. Sig. XLV. 12 of 12 May 1507; Register of Deeds CXXI. 382.
2. Edinburgh Commissariat Decrees 28 Jan. 1607.
3. General Retours 2369.
4. Reg. Privy Council VII 222, 288.

behaviour up to January 1608. The feud was a family one between the Earls of Eglinton and Glencairn.<sup>1</sup>

On the resignation by his elder brother Robert on 26th June 1606 of all his dignities and honours a Charter of Novodamus was granted to George on 12th May 1607<sup>2</sup> by James VI,

"for the service rendered to himself and his predecessoris during many centuries past, in peace and war, by the ancient progeny of the House of Seytoun".

The subjects of the Charter were the Earldom of Winton, with the lands, lordship and barony of Seton and Winton, lands and barony of Tranent, and of Easter and Wester Barns, lands and barony of West Niddrie and of Winchburgh, and the lands of Uperaigie. The succession was to the heirs male of his body, which failing to Thomas his brother and his heirs male, then to John Seton his brother and his heirs male, all which failing to the nearest lawful heirs male.

A later charter was granted on 22nd April 1618<sup>3</sup> considerably amplifying the first, and giving to the Earl of Winton in life rent and to George Lord Seytoun his eldest son in fee, the Earldom, the lands, lordship and barony of Seton and Winton, with the burgh and barony of Cockenzie and its free port; the lands and barony of Tranent; of Barns; of West Niddrie and of Winchburgh; lands of Clentis and Hartisheid in Berwickshire; the succession was to George Lord Seton and heirs male of his body, failing which, successively, to Alexander Earl of Eglinton, Thomas Seton of Olivestob, John Seton of St. Germain's and their heirs male; then to the heirs male of Sir John Seton of Barns.

In the event of the Earl of Eglinton succeeding he would be bound to renounce the Earldom and the surname of Montgomery.

1. Scots Peerage IV 244; III 444.

2. Reg. Mag. Sig. XLV. 12; Seton Charters M - 16.

3. Reg. Mag. Sig. XLIX. 152. 8-1

Winton was devoted to his uncle, Alexander Earl of Dunfermline. In a letter to John Murray, afterwards Earl of Annandale, dated 19th June 1622, the Earl of Melrose alluded to the fact that Winton had been unremitting in his attention at the bedside of the dying Chancellor and that

"he had bene so ouermatched ten or tuelf nights

"attending his uncle in his sickness, as not going

"to bed but verie seldome, was much altered and

"not able to compeir".

He was chief mourner at Dunfermline's funeral.

During the remainder of the reign of James and the first fifteen years of that of Charles I, Winton took no prominent part in public affairs, and kept aloof from the religious controversies which had not quite taken the place of wars with England as the popular pursuit. He devoted himself to his own affairs, and to the building of Winton Castle.

However, when James visited Scotland in 1617, to make an unsuccessful attempt to introduce Anglican ritual in the Scottish Church he was entertained at Seton Palace;<sup>1</sup> and Charles I stayed there on 13th June 1633 when he came to be crowned at Holyrood; and again in 1641.

But his opportunity of pursuing the thorny path of his ancestors came to Winton as the troubles in Scotland and England began to gather round King Charles, and forced him to take a hand.

#### The "Bishops' Wars" and the Covenants.

The reestablishment of Episcopacy by James VI, the determination of himself and of his son that the Crown should be the head of the Church, the attempt to force ritual on stubborn men who would have none of it, and

1. Historical MSS. Comm<sup>n</sup>. (Kenyon MSS.) Vol. 14, p. 19.

finally the introduction by Charles in December 1636 of Archbishop Laud's Liturgy - all these gradually led up to riots in the towns, and then to more serious trouble. The nobles, lairds, burghers and ministers appointed representatives to four "Tables" or Committees; and, on 21st December 1637 they submitted a Supplication to the Crown, inveighing against these practices, and demanding the recall of the Liturgy and the removal of Bishops from the Council.

Charles refused to depart from the attitude he had taken up, with the result that in February 1638 a "National League and Covenant" was drawn up, and subscribed to by most of the population. From that moment the future history of Scotland and of the world was profoundly altered.

The essential differences between this National Covenant of 1638 and the "Solemn League and Covenant of the three Kingdoms" of 1643 are often overlooked, and the two instruments confused.

The National Covenant was framed to unite Scotland against the attempts of Charles and Laud to force the Laudian Service Book and Anglican Episcopacy on a Presbyterian Country. The Solemn League was designed to unite Scotland and England against Royal and Royalist assaults on the civil and religious liberty of both Kingdoms. The early Covenanters

"stand to the defence of our dreade Sovereign ..

"in the defence of the true religious liberties

"and lawes of the Kingdome".

Both Covenants demanded full religious liberty for the "true religion" as understood by themselves; but they also claimed to be allowed to deny similar liberty to all Catholics, - Roman or other.

Fortunately their very enthusiasm led the Scottish Presbyterians into trouble with the English Puritans; they tried to force their views on England, and failed.

On 21st November 1638 a General Assembly sat in Glasgow and deposed all Bishops, nullified all Acts of James VI and Charles I dealing with religion, and swept



away the whole ecclesiastical edifice. The next step was, obviously, revolution.

The most prominent of the Covenanters were Argyll and Montrose, and their most distinguished professional soldier was Alexander Leslie - afterwards Earl of Leven - who had seen service in the Swedish Army.

In March 1639 the "First Bishops' War" broke out. Edinburgh Castle, Dumbarton, Dalkeith and other fortresses fell to the Covenanters, and Huntly and his sons were defeated by Montrose and Leslie in the North.

On the outbreak of this rebellion Winton at once went to Berwick and joined the King's army there.

The Covenanters immediately sequestrated his estates and

"used a kinde of forfaulture against him, and  
"gifted the estate, out of their mad and diabolical  
"call distraction, to a gentleman of the name El-  
"phinston, of small account; but it was thought  
"it was for the reall behoofe of that arch cruell  
"and bloody traitor, the Earl of Argyle".<sup>1</sup>

Baillie, writing from the Covenant Army at Duns<sup>2</sup>, says that "the **garners** of my Lord Wintoun gave us plenty of "wheat".

The Covenanting Army, 20,000 strong, lay at Duns Law. There was however no fighting, as the Covenanters did not want to push matters to an extremity; and Charles, whose affairs in England were not going well, decided to concede their demands and summon a General Assembly and Parliament. The "Pacification of Berwick" was signed on 18th June 1639, but the Covenanters did not disband their army or recall Leslie's commission, while the King retained his garrisons at Berwick and elsewhere on the Borders.

The Assembly met on 12th August sanctioned all the acts of the Glasgow Assembly, and, at its request,

1. Kingston: Continuation of the House of Seytoun.

2. Baillie: Letters 1. 213.

the Privy Council passed an Act making signing the Covenant compulsory on the whole nation. This the King refused to ratify. The Parliament which immediately followed the Assembly made the same demand. The political situation became menacing and on 20th August 1640, Montrose and Leslie entered Newcastle and submitted afresh a demand for the abolition of Episcopacy and acceptance of the National Covenant.

Once again the King had to give way, and the negotiations, which lasted until 10th August 1641, ended the "Second Bishops' War".

Charles determined to visit Scotland once again, and on 14th August 1641 he reached Edinburgh. On this occasion he again stayed at Seton Palace. During his three months visit to the Capital he accomplished nothing, and left on 18th November,

"and so he posts haistellie to Setoun, where he

"brak fast and returnit bak agane to London".<sup>1</sup>.

Meanwhile Montrose had left the Covenanters, and from that time was a Royalist, in arms against his late associates.

The troubles so long brewing in England culminated in August 1642 in war between King and Parliament; and this naturally created a profound impression in Scotland. In June 1643 the Estates met and associated themselves with the English Parliament, while the General Assembly drew up the "Solemn League and Covenant", under which Scotland was to raise an army of 20,000 infantry and 2000 horse, to be paid for by the English Parliament at the rate of £30,000 monthly. This army under Leslie, now Earl of Leven, crossed the Border 19th January 1644 and served in England for three years.

Lord Winton had returned home after the operations of 1639 and no more is heard of him until 1643, when the Covenanters fined him 36000 merks under threat of sequestration. He was by now fifty nine years old and

1. Spalding: Troubles in Scotland and England II. 86.

physically unfit to join Montrose; but he sent his son George Lord Seton instead. His third son Alexander, afterwards Viscount Kingston, also took part in the operations.

By May 1646 the King had taken refuge with the Scots Army at Newark. To the eternal shame of its leaders he was handed over to the Parliamentary Army, in return for which they received £400,000 arrears of pay; in February 1647 they recrossed the Border and abandoned their King.

In March 1648 relations with England were very strained, and in July an entirely untrained and badly equipped army was raised under the Duke of Hamilton and advanced into England. Winton, unable through age and illness to accompany it, contributed £1000 sterling to the expenses. The army was speedily rent to pieces by Cromwell, at Preston, Wigan and Warrington in August.

The King was murdered on 30th January 1649, and, six days later, the Scottish Estates proclaimed his son King provided he would pledge himself to the two Covenants; under duress he signed them, and was then brought to Scotland, in June 1650.

The Earl of Winton immediately joined him, and remained with him at Dunfermline and Perth, till 11th November. Meanwhile Cromwell had invaded the country, and there ensued the brief but bloody campaign which ended on 3rd September with the rout of the Scottish Army at Dunbar. The English Army then occupied Edinburgh and Leith.

During the occupation Winton suffered greatly at their hands. Gordon says

"he was pitifullie abused by them, his fair house

"of Setoun made a common inn, himself threatened

"to be killed, his rich furniture and stuff plun-

"dered .. and when he complained he got no redress".<sup>1</sup>.

It was arranged, however, in spite of the continued

1. Pat. Gordon: Britain's distemper (Spalding Club) IV. 212.

occupation by Cromwell, that Charles II should be crowned at Scone on 1st January 1651. Winton had returned to Seton Palace in December "the better to prepare himself for the ceremony"; but he died there on 17th December 1650, at the age of sixty six, and "was interrid among his ancestors in the Church ther, without any funerall solemnity".

The Earl of Winton showed much kindness towards his kinsmen; thus, when John Seton of Pitmedden was killed at the Bridge of Dee in 1639, he took the widow and two sons into his own household and had them educated. He was also guardian during their minority to Charles second Earl of Dunfermline and Lady Grissell Seton, the children of his uncle, the old Chancellor. Kingston says

"he keepest him and his sister and their servants  
"in his house free gratis, all the years of his  
"tutary"

and, when they were of age, gave 10,000 merks to the Earl and 30,000 to Lady Grissell.

Like his father Winton was frequently in trouble with the Church. In a list of noblemen "suspekit to be Popishlie affectit" drawn up by the Archbishop of St. Andrews on 27th January 1629 for the information of the Privy Council, his name appears. They were all ordered to send their sons to one of the Universities "for breiding of them in the trew ground of religion".

Winton appears to have ignored the order, as, on 19th March 1629 he was enjoined

"to have a cair that his ladie, daughter and sone  
"repair to Church, and give all outward obedience  
"without scandall".

Again in 1638 John Maxwell, Bishop of Ross described<sup>1</sup>.

1. Reg. Privy Council 2nd Series III 21,100.



him as "Popishly affectit".<sup>1</sup>

In later years he was repeatedly under admonition for refusing to receive a private chaplain for his servants, and for keeping Catholic servants. In November 1649 there were extensive excommunications of the residents of Seton Palace, and three years after his death it was reported that two of his sons had been

"withdrawn from publict schooles and kept at home, whereby it may be feared that they may be educat in Poprie".<sup>2</sup>

In 1644, Winton's second wife, Lady Elizabeth Maxwell, a Catholic, was excommunicated at Tranent for her views, along with her stepson Sir Alexander, and her daughter in law Lady Henrietta Gordon wife of George Lord Seton.

The Church went out of their way to make things unpleasant for Winton. In 1648 the Commission of the General Assembly recommended to the "Commissioners of Parliament for the planting of Kirks" that Seton Church should be turned into a parish Church, that Winton should be disunited from the old parish of Tranent, and that a new parish be created at Pencaitland.<sup>3</sup> These measures involved the Earl in heavy expenditure, and it was not until 1681, in the time of his grandson the fourth Earl, that they were rescinded by the Crown.

#### Estate Policy.

In 1620 Lord Winton "founded and built the great house (Winton) from the foundation, with all the lairge stone dykes about the precinct, park, orchard and gardens thereof"; this building is said to be the choicest example of Renaissance architecture in East Lothian, and took the place of the old L - shaped building raised by George second Lord Seton before 1508,<sup>4</sup> which was burnt by the English in 1544.

1. Balfour: Annals II. 263.

2. Seton: Family of Seton. 1. 231.

3. Procs. of Commission of General Assembly (Sco. Hist. Soc.) 365.

4. Royal Commission, Historical Monuments (E. Lothian) 84. No.136.

In 1630 he turned his attention to Seton Palace, and built, or rebuilt two quarters

"beginning at Wallace's tower at the east end  
 "thareof, which was all burnt be the English,  
 "and continued the building till Jacob's tower  
 "on the north side. By reason his predecessors  
 "were .. very active in the warrs against the  
 "English, the house having been three tymes burnt  
 "by them, he caused carve upon the frontispice of  
 "his new building a crown, supported by two roses  
 "and the thrissell, being the conicenses of the  
 "Kingdoms of England and Scotland .. enegmatically  
 "signifying the Union of the two Kingdomes".

The most important task he undertook, however, from the productive point of view, was the erection of twelve salt pans in Cockenzie "wher never any formerlie was", and from these he and his successor retrieved their wrecked fortunes. He also constructed a new harbour at Cockenzie in 1620, at great expense. Writing on 9th April 1620, Robert Seton, "servitour" to the Countess told Alexander Earl of Eglinton:

"My Lord is bissie with his new herbrie, but sore  
 "against my will; I feare it prouffe an unprofit-  
 "table work, and skars worthie of his paines, but  
 "there is no steying of him".

Robert was right, as the harbour was wrecked by a storm in 1635.

In December 1627 he and several other owners of mines and salt pans were summoned for not levying the tax of 2/- per ton on their output, which was to be devoted to the building of forts on the Forth.<sup>1</sup>

As a saltmaker and coal master he was very successful, but the fines imposed upon him during the Cromwellian regime must have crippled him.

The Earl made some additions to his large estates.

1. Reg. Privy Council II 146, 147.

On 27th June 1643 he bought from Sir Alexander Towers, for a sum of 95,000 merks, the lands of Garmilton-Noble, Garmilton-Alexander and others. His intention was to bestow them on his son Christopher. Sir Alexander died without handing them over and, on 2nd July 1647, Royal Letters were issued against John Towers, his successor, ordering him to fulfil that obligation.<sup>1</sup> He also bought half Athelstaneford in 1649 from Sir John Towers. As his son Christopher had been drowned in 1648 the Earl conferred these lands, united into a barony of Athelstaneford on the next son John, who was created a baronet "of Garlston".

He also obtained the attainted estate of Hailes, which had belonged to Francis Stewart Earl of Bothwell, from Francis Earl of Buccleuch, and gave them to his son Alexander. The charter confirming to the Earl of Winton the Lordship and barony of Hailes, Auldhamestocks etc. was dated 1st March 1648.<sup>2</sup>

Another most important acquisition was the barony of Abercorn. From the charter of grant of this barony to Sir Walter Seton,<sup>3</sup> first baronet of Abercorn, it is clear that this consisted of the lands of Duddingstoun, Duntarvie, the arable lands of Winchburgh, the lands of Philpstoun, Gallowscruik, Binns, Manerstoun, Easter and Wester Scotstoun, Mirrielees, Cauldcoats, Midhope with Tower; also the office of Sheriff of Linlithgow, the dominical lands of Abercorn and the Burgh of Newton of Abercorn.

These had belonged to John 8th Lord Lindsay of the Byres in 1601, and had been resigned by him in that year to James, Master of Paisley,<sup>4</sup> afterwards 1st Earl of Abercorn, grandson of George 5th Lord Seton.

His son James, 2nd Earl of Abercorn disposed of

1. Seton Charters  $\frac{M}{9-4}$  p. 20.

2. Reg. Mag. Sig. L VIII 141; Scots Peerage VIII 594.

3. Seton Charters  $\frac{A}{4-2}$  p. 146.

4. Scots Peerage 1-46.

them on 30th June 1650 to George third Earl of Winton in liferent (soon before the latter's death) and to his son Alexander Viscount Kingston in fee.

Lord Kingston sold them for £3000 to Sir Walter Seton on 10th December 1661.

(See Setons of Abercorn.

Setons, Viscounts Kingston.)

### Marriages.

George third Earl of Winton was twice married.

His first wife was Lady Anne Hay, daughter of Francis ninth Earl of Erroll, Constable of Scotland, a Catholic lady, whom he married on 26th April 1609. By her he had a large family most of whom died young:

1. George born 22nd July 1610, died in infancy.
2. George Lord Seton. See below.
3. Christopher born 20th February 1617, died 30th June 1618.

4. Alexander born 13th March 1620. This remarkable man was created Viscount Kingston on 14th February 1651 and founded the cadet branch of Seton of Kingston (f. V)

5. Francis born 1st May 1623 and said to have died young. There is however a family named Seton-Winton who claim descent from him, alleging that Francis was concerned in the Jacobite movement in England before 1715, and had intentions of raising men in Sussex. The battle of Sheriffmuir however put a stop to his plans and he went abroad and died in France. His son Francis settled at Cokeham Manor in Sussex, and some of his descendants have adopted the hyphenated surname of Seton-Winton. Documentary evidence of what might be a most important position in regard to the Winton honours, however, has not been produced.

6. Anna born 1611, died young.
7. Margaret born 25th March 1615, died 1637.
8. Elizabeth born 1618 died in infancy.
9. Elizabeth born 24th December 1621, married in 1637 William seventh Earl Marischal, and had issue.



Her father gave her a tocher of £40,000 Scots.  
She died 16th June 1650.<sup>1</sup>

Lady Anne died before February 1625, when her Testament was confirmed. In that year the Earl married, secondly, another Catholic lady, Lady Elizabeth Maxwell, only daughter of John sixth Lord Herries, by whom he is said to have had at least twelve children. Omitting those who died in infancy or childhood these included the following:

1. Christopher born 28th June 1631. He was drowned at sea on his way to Holland in July 1648.

2. William born 8th January 1633, who was lost at the same time as his brother. He had from his father a charter of Windygoul in Tranent parish, with remainder to his brothers John and Robert.

3. Sir John born 29th September 1639. He had from his father on 13th August 1649 a charter of the fee of the lands of Athelstaneford and Gar-miltoun (Garlston). On 9th December 1664 he was created a baronet, with the style "of Garlston", and from him descended the cadet branch of that name (Garlston).

4. Sir Robert born 10th November 1641, was educated at the Scots College at Douai. On 24th January 1671 he was created a baronet with the style "of Windygoul" which had originally been conferred on his father Henry. He never married, and died in 1672. His brother John was served heir to him. He left 30,000 merks to the College.<sup>2</sup>

5. Isobell married in 1640 Francis sixth Lord Sempill, who died four years later without succession. She died in 1687.

6. Ann born 30th September 1634. She married in April 1654, as his second wife, John Lord

1. Scots Peerage VI 59.

2. Records Scots College l. 43; Hist. MSS. Comm<sup>n</sup>. Appendix to 5th Report p. 653.

Lintoun afterwards second Earl of Traquair; he was severely dealt with by the Covenanters for marrying, as his first wife, Lady Henrietta Gordon, "an excommunicate Papist", the widow of Ann's half brother George Lord Seton. By Ann there were several children.

7. Jean born 26th January 1636, died 17th June 1661.

8. Mary married, with issue, James Dalzell, fourth Earl of Carnwath on 10th December 1676.

She died in 1698, and was buried in Holyrood. Of the second Countess nothing is known except that she was excommunicated at Tranent in 1644 for her Catholic belief, along with her stepson Sir Alexander and the wife of George Lord Seton.

#### Family Charters.

The Earl of Winton was interested in his family history, and, very fortunately for his descendants, in 1628 he gave Sir James Balfour, "for the proof of "his antiquity" a collection of abstracts of Seton Charters Etc., which are now in the British Museum (Harleian M.S.S. 4693). They were printed by George Seton in his work on the family,<sup>1</sup> and a manuscript has recently (1930) been made from the Harleian M.S. and is now in the possession of Sir Bruce Gordon Seton Bt.

George Lord Seton.

15th May 1613 - 4th June 1648.

Nothing is known of Lord Seton's early years. He first comes to notice when the "First Bishops' War" between the Covenant and the Crown had just started.

On 31st May 1639 the Marquis of Hamilton wrote to the King recommending "an honest Lord, Lord Seton" who had come to him in a small fisher boat, with encouraging news of the foundation of a party in the North.<sup>1.</sup> Like his father he had married a Catholic, Lady Henrietta Gordon, and was therefore marked out for persecution by the Covenanters.

His father had been fined 36,000 merks in 1643, and, according to Lord Kingston, was again fined "in a considerable soume" when his son Lord Seton joined the Royalist force under Montrose. He was present and was taken prisoner at the defeat of Philiphaugh on 13th September 1645, and was conveyed under escort - for which he had to pay<sup>2-</sup> to Newark on Trent which was being besieged by the Covenanting Army.

Thence he was sent to St. Andrews, and later to the Tolbooth and Edinburgh Castle. According to Douglas his father was ordered to sell as much of the baronies of Winchburgh and Niddrie in West Lothian, at seven years purchase, as would discharge a ransom of £40,000.<sup>3.</sup>

Lord Seton died, worn out by the hardships he had experienced, at Seton on 4th June 1648, and was buried in the family church. His coat of arms appears in the large window in St. Giles Cathedral, adjoining the monument to Montrose.

Marriage.

In 1639 he married<sup>4.</sup> Lady Henrietta Gordon, daughter of the Marquis of Huntly, who brought him a tocher of

1. Historical MSS. Comm<sup>n</sup>. (Hamilton Papers) II. pt. 6, p.104.
2. Accounts of Sir Adam Hepburn. Army of the Covenant. Vol.II.
3. Douglas: Peerage (Wood 2nd Ed.) II. 647.
4. Register of Deeds D XXIV. 57.

40,000 merks. By this marriage he had four sons:

1. George born 14th May 1642, succeeded as fourth Earl of Winton.

2. Alexander born 21st January 1644 and died without issue before 13th December 1673. Nothing is known of him.

3. Christopher born 15th April 1645 and was dead before 7th April 1697. Nothing is known of him.

4. Francis died in infancy.

Lady Henrietta had already been excommunicated by order of the Church Assembly at Tranent, and shortly before her husband's death a Commission of the Assembly urged the Committee of Estates to appoint some method for the religious education of the younger children, "who ar "bred in Poperie" by her.

In 1649 she married another Royalist who had recently been taken prisoner at Preston in August 1648, John, Lord Lintoun. The marriage was a short one, as she died in child-bed in June 1651.<sup>1</sup>

The venomous Scotstarvet<sup>2</sup> refers to her as an "ex-communicate Papist" and Lord Linton was himself excommunicated for marrying her. The minister of Dawick who married them "was excommunicate, his church declared vacant, and he, by the State banished".<sup>3</sup>

And so Christian charity was prominently displayed.

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#### The Cromwellian Period.

From the crushing defeat of Dunbar in September 1650 Scotland was for ten years under the iron heel of Cromwellian despotism. That incident itself, however,

1. Balfour Annals IV. 351.

2. Scotstarvet: Staggering State 44; Lamont: Diary 11.

3. Nicoll: Diary 4.



resulted in a split in the very party which might have been expected to welcome consistent Protestant rule.

The National Party, which had been responsible for the two Covenants, divided into the "Remonstrants" or "Protesters", who rejected Charles II as King until he gave more satisfactory proofs of his sincerity than he had yet done, - and the "Resolutioners", who emphatically condemned the other party.

Charles was crowned at Scone on 1st January 1651, and an army, partly Royalist, partly consisting of the Resolutioner party, invaded England in the faint hope that they would induce Cromwell to give up his hold on Scotland, and that they might get reinforcements in England.

The result was disaster. Leaving Monk in charge of Scotland, Cromwell in September 1651 followed the Scottish army, and the "Crowning Mercy" at Worcester on 3rd September was the result.

For nine years the country was destined to endure submission to an alien yoke to an extent it had never done throughout its previous history. Opposition was nipped in the bud, repeated but abortive attempts were made to bring about a political union between the two countries, and Scots representatives sat at Westminster; but the functions of Government were carried on by Commissioners, most of whom were English, supported by an English Garrison.

Risings occurred in the Highlands, but were instantly suppressed; and everything possible was done to shatter the ideal of a Stewart monarchy, which still remained in the people, in spite of religious differences.

Cromwell died in 1658; his son Richard tried to follow in his footsteps with indifferent results. Even the religious differences became increasingly felt, and the Presbyterians were strongly opposed to the proposal that a union of the countries should be accompanied by liberty of conscience and freedom of worship; they objected to both.

The unexpected happened; Monk, once the right hand man of Cromwell, closed the Cromwellian regime; the Earl of Glencairn, who had headed the Highland rising of 1654, was one of those left by Monk in charge of the country; and in 1660 came the Restoration of the rightful Sovereign, to reassume the Crown of Scotland and to take it up in England.

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George, 9th Lord Seton, 4th Earl of Winton.

4th May 1642 - 6th March 1704.

His father having died in 1648 the succession passed from the third Earl on 17th December 1650 to his grandson George, then a lad of under nine years of age. At the time he was abroad "on his travells in "France".

His mother, Lady Henrietta Gordon, had already married for a second time, and his grandfather had left his second surviving son Alexander Seton (afterwards Lord Kingston) as guardian to the young Earl.

During the years 1653 to 1655 George Seton was served heir male to his grandfather in all his properties. <sup>1</sup> His uncle, Lord Kingston, says he was "bred "att Seatoun in the treu Protestant religionne"; but, according to Nisbet, he completed his education in France, where he became accomplished in the knowledge of arms. At the same time he acquired a taste for the Continent which he utilised practically in later years; on one occasion, in February 1668, Nisbet says

1. Douglas: Peerage II. 647.    Retours Haddington 232, 233, 281, Retours Banff 103.

he served with the French army as a volunteer under Condé, at the siege of Besancou.<sup>1</sup> In the interval however he must have returned to Scotland.

The intense animosity shown by Cromwell against the third Earl in repeated fines was extended to his grandson. Under the so-called "Act of Grace and Pardon" the young Earl, then only twelve years of age was, on 12th April 1654, fined £2000 sterling.<sup>2</sup> In October 1654 his tutor, Lord Kingston, put up a petition praying for remission of this fine. This interesting document<sup>3</sup> points out that the "yearly land rent" of the estates does not exceed £5000 sterling, and the "casual rent" only £550. Out of this income the Earl's grandmother, Lady Elizabeth Maxwell, received one fourth; and provision also had to be made for his brothers. The estate moreover was burdened with £30,000 of debts. A certificate is added to show that in October 1650 Cromwell had given the late Earl a passage "whereupon he "desertit the King and returned to his awin house .. "where he lived and died in peace under the protection "of the English Armie". This latter statement was, of course, a grotesque perversion of the truth. Finally, Lord Kingston pointed out that, under the Declaration of 1651, there was an express exception of those who "deserted the King" after the battle of Dunbar on 3rd September 1650.

About the same time an appeal was made for clemency by Lords Roxburgh, Maitland, Erroll, Tweeddale and Angus; the petitioners on this occasion boldly asserted that, at the time of his death, the young Earl's father was

"nather adwyseing, aiding, nor assenting to the  
"invasionie of England" and "never carried arms  
"against England in anie of the warres, first or

1. Nisbet: Heraldry 1. 235.

2. Nicoll: Diary 126.

3. Seton Charters. M p. 22.

"last".<sup>1.</sup>

This statement was literally true, as George Lord Seton had fought with Montrose against Scottish subjects, not in England.

The result of these appeals was partially successful, as on 6th April 1655 the fine on the Earl was reduced to £800 sterling.<sup>2.</sup>

While these matters were being settled Kingston and the Earl were probably at home, though there are no records of their movements.

At the Restoration Winton was received by the King and sworn a Privy Councillor.

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From the Restoration until the end of the reign of James VII and II religious difficulties were the prevailing feature of Scottish history. Charles' first Parliament which met on 1st January 1661, passed 393 Acts sweeping away the whole of the legislation of the previous twenty eight years, made the King practically an absolute monarch, reestablished Episcopacy and lay patronage and declared the Covenanters unlawful and seditious.

Charles was now master of Scotland, and proceeded to rule it by his Privy Council; the Parliament was dissolved in October 1663.

Trouble arose when ministers who had not been presented to their charges by lay patrons were evicted and forbidden to live within twenty miles of their original parishes. The so-called "King's curates" who succeeded them met with hostility from the population, and whole-sale fines were levied on them by bodies of newly raised Militia. So numerous indeed were cases of more or less overt rebellion against the recent Acts, that it was

1. Lauderdale Papers (Brit. Museum) MSS. 23124 - fol. 36.

2. Hist. Manuscripts Commn. (Edmonstone papers) 6 April 1655; Acta Parliamenti Scot. VI. part II. 820, 846.



found necessary to revive the Court of High Commission to deal with them.

In spite of these measures the people refused to accept the new regime and, in 1666, the South Western Counties, notably Galloway, Ayr and Lanark, raised a force of 3000 men and started to march on Edinburgh. Sir Thomas Dalrymple was sent in pursuit, in command of the Royal troops, and on 28th November he came up with the Covenanters and defeated them at Rullion Green. In Dalrymple's force was the East Lothian militia, commanded by Kingston, with the Earl of Winton.

This "Pentland Rising" was followed by stricter repressive measures, and the Primate, Archbishop James Sharp, as President of the High Commission, carried a terrible reputation for brutality which completely failed to effect it's purpose.

On 2nd December 1669 Winton was temporarily appointed to command a new militia unit to be raised in Linlithgowshire and Peeblesshire.<sup>1</sup> He appears to have retained this command until 1675, when he returned to the East Lothian Militia.<sup>2</sup>

For twelve years, from 1667, Lauderdale, as Secretary of the Privy Council, ruled Scotland. At first he tried, by Acts of Indulgence, and milder measures, to pacify the discontent which had already resulted in one slight rebellion. But gradually his measures became more severe, and penal enactments originally intended for use against Roman Catholics in the days of John Knox were turned against the Presbyterians.

Lauderdale appreciated that his policy required force to back it up, and in 1675 he decided to maintain a standing force in the country. In 1678 a large body of Highlanders and of Lowland militia was introduced into Ayrshire to live on the people; and the temper of the Recusants rose rapidly to fever heat.

1. Laing Historical Papers (Edinburgh University) 1. 30.
2. Calendar of State Papers, Domestic 1673/5. 592.

In May 1679 Archbishop Sharp was murdered. and a few days later there was a collision between a small band of Recusants and a force under Graham of Claverhouse at Drumclog. The Royal Force was defeated, and the army of the Covenant immediately increased enormously. The Council at once mobilised the militia, and the Duke of Monmouth, the King's natural son, came from England to take command.

On this occasion Winton, Lord Kingston and George Seton of Cariston took part in the operations. The two forces met at Bothwell Bridge on 22nd June, and a crushing defeat of the Covenanters was the result.

One result of this rising was the downfall of Lauderdale, whose many enemies succeeded in attaching to his policy the blame for what had happened.

In spite of the failure of Acts of Indulgence an attempt was again made to get the ministers to accept the new order of things. In great measure this succeeded; there was, however, a small residuum which, as gallant as it was narrow minded, refused to bow the knee. This small section of the ministry came to be known as "Cameronians", and the attempts to suppress them involved the presence of considerable bodies of troops in the disaffected counties, and some unavoidable cruelty.

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On 8th January 1675 Charles directed the Scottish Privy Council to appoint Winton to the Council,<sup>1</sup> and he was again appointed on a new commission on 12th June 1676.<sup>2</sup>

On Lauderdale's death Winton, in 1682, was appointed Sheriff of East Lothian.<sup>3</sup>

- |                           |                 |      |
|---------------------------|-----------------|------|
| 1. Calendar Scots Papers. | Domestic 1673/5 | 523. |
| 2.                   ib   | ib       1676/7 | 222  |
| 3. Reg. Mag. Sig. X.      | 137.            |      |

In May of that year he accompanied the Duke of York from London in the "Gloucester" frigate which was wrecked off Yarmouth, with the loss of several "men of quality"¹.

When the Duke ascended the Throne in 1685 a serious attempt was made to overthrow him, in favour of the Duke of Monmouth. The plan was that the latter should land in England with a force, while the Earl of Argyll, who had been living in Holland, should deal with Scotland. Winton, taking his regiment "upon his own expense with his vassals", accompanied the Royal Army to the West; and, when Argyll was captured, almost unattended, near Glasgow, Winton was detailed to take him to Edinburgh, - an incident which may be compared with the fate of Morton when he fell into the hands of another Seton a century earlier.

In 1685 James appointed Winton Great Master of the Royal Household in succession to Argyll. Commenting on this Lord Kingston says:

"which office ... by reason of the said Lord George his great troubles for Queen Marie, and long banishment for his loyall service to her was, in the interim, till King James the seventh, exercised be the Earls of Argyll".

History is silent regarding the part taken by Winton in the years which culminated in the Revolution of 1688. Though probably not himself a professed Catholic, he was certainly not a whole hearted Presbyterian. The mere fact that James VII gave him a high Household appointment suggests that, whether he had ever signed the Covenants under duress or not, he regarded Winton as a personal friend.

He dropped out of public life, and devoted himself to his own large and increasing business interests.

1. Fountainhall: Historical Observes (Bannatyne Club) 68.

### Estate Policy

Lord Winton was a man of great business capacity, more so even than his grandfather. He was probably the greatest coal master and salt manufacturer of his time in Scotland, and carried out a large export trade of these commodities.

In his dedication, to his patron the Earl of Winton, of his curious book "Satan's invisible world discovered", Sinclair in 1685 refers in terms of fulsome praise to the administration of his coal mines and his skill in working them, and refers to

"the meanders and boutgates, the levels, airshafts  
"pumping therein",

The Earl's methods were modern, and he employed a Flemish engineer Peter de Bruis by name.

The harbour built at Cockenzie by the third Earl had been destroyed in a storm in 1635. Lord Winton replaced it by another called Port Seton. He also extended the salt pans and, from papers in the possession of the writer, he invented a new system of heating them which gave a marked increase of efficiency, with an economy of fuel. In a letter to the Earl of Lauderdale dated 3rd January 1668 Winton and eleven other noblemen and gentlemen refer to the activities of Sir Walter Seton in obtaining an import duty of £12 Scots on each boll of foreign salt brought into the country, and beg for further help.<sup>1</sup>

His influence on the coal trade was very great, and, from documents in the Wemyss charter chest, it is evident he was generally responsible for fixing the selling price of this commodity.

Winton was very often abroad in the Low Countries on business, and on these occasions his habit was to leave the administration of his estates in the hands of Commissioners.

1. Lauderdale Papers (Brit. Museum) 23128, p. 242; Seton: Family of Seton 1. 234.



Thus, in August 1670, his Commissioners were the Lords Tweeddale, Kincardine, Dundonald and Kingston and Sir John Seton Bt. of Garlston, the two James Setons of Touch father and son, Sir James Dundas of Arniston and Alexander Seton of Pitmedden. His principal agent however was Sir Walter Seton first baronet of Abercorn; on the latter's death in 1692 his son, the second Sir Walter took his father's place and was in frequent correspondence with the Earl during his absence.

While developing the production of coal and salt in his East Lothian properties Lord Winton surrendered those which lay in Linlithgowshire. In 1678 he sold the barony of West Niddrie and Winchburgh to John Hope, father of the first Earl of Hopetoun,<sup>1</sup> and thus alienated lands which had been in the possession of the family for many generations.

In 1681 Lord Winton petitioned the Duke of Albany (James) regarding the disuniting of the lands of Winton from the parish of Tranent in 1649 by the rebels, and begged for a rescission; he also asked that the valuation of his coal and salt, as estimated by them, should be readjusted.<sup>2</sup> An Act of Parliament was immediately passed accordingly.

In 1686 the Earl resigned his dignities and had a Charter of Novodamus dated 31st July, 1686, with recreation in favour of himself and the heirs male of his body; whom failing to any person or persons he should nominate, and the heirs male of their bodies; which failing to his nearest heirs and assignees, the eldest daughter succeeding without division, marrying however a gentleman of the name of Seton, or who shall assume that name and wear the arms of the family of Winton.<sup>3</sup>

1. Scots Peerage IV 493.

2. Seton Charters: M - 26.

3. Reg. Mag. Sig. 10.4

LXXI - 94.

Some years later, on 7th April 1697, he made a disposition<sup>1</sup> in favour of his eldest son of everything he possessed, with reservation of his own life rent, and bound himself to give procuratories of resignation, precepts of sasine etc. as required. He added however that

"albeit this disposition shall not be delivered by us to our said son, but shall be found at our decease among our papers .. yet the same shall be of as much form and effect as if we had delivered the same".

This document was witnessed by Sir Walter Seton, second baronet.

Finally, the Edinburgh Commissariat Register shows that, on his death, the inventory of his goods and of debts owing to him amounted to £16000.<sup>2</sup>

The Earl died on 6th March 1704,<sup>3</sup> and for some reason not known was buried in the village of Seton; some years later, as will be shown, he was reinterred in Seton Church.

### Marriages.

When he was twenty years of age he married his kinswoman Lady Mary Montgomerie, daughter of Hugh seventh Earl of Eglinton.

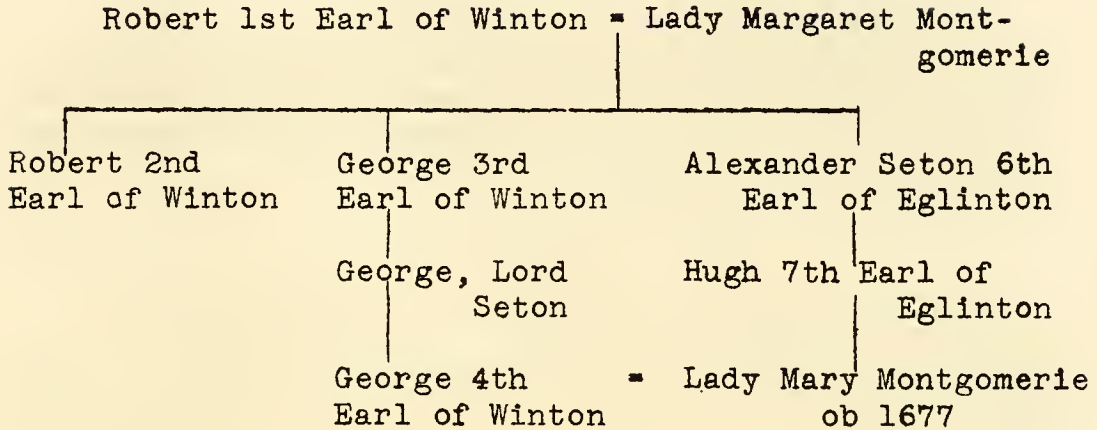
1. Seton Charters M 29.

10-7

2. Seton: Family of Seton II 905.

3. Nisbet: Heraldry I. 235.

Their relationship was as shown below.



By her he had a daughter:

1. Lady Mary born 1666 died 1669.

After the death of his first wife Lord Winton married, in or about 1682, Christian, daughter and heiress of George Hepburne of Eisteraig, by Margaret daughter and heiress of Robert Addinstoun of that ilk in Tranent. Nisbet says that these Addinstouns were of an ancient family in East Lothian

"who, since King Robert the Bruce, were heritable

"standart bearers to the House of Seton".<sup>1</sup>

Addinstoun is better known as Greendykes.

According to Sir George Mackenzie the Earl lived with the Lady for some years before marrying her, and his children by her had been born out of wedlock, but were subsequently legitimated.<sup>2</sup> This, as will be shown later, gave rise to considerable trouble after his death.

1. Seton: Family of Seton 1. 248.

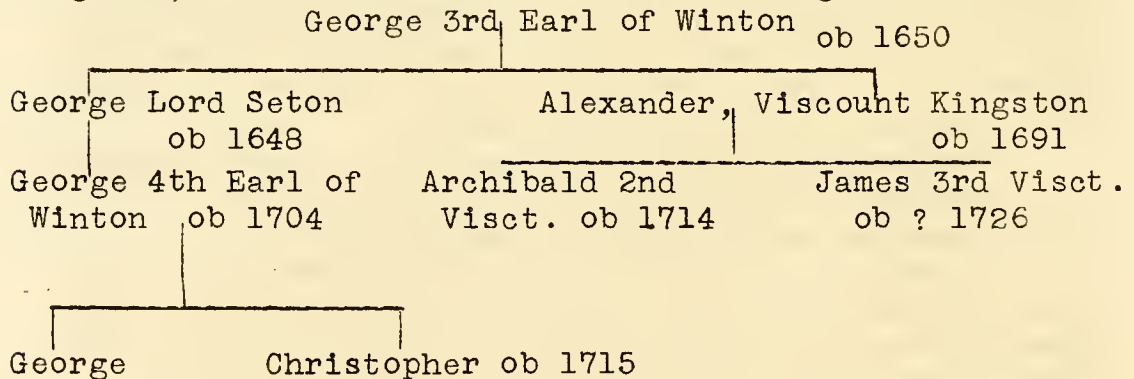
2. Sir Geo. Mackenzie: MSS "Account of Scottish Families" 12464 (Brit. Museum) p. 188; Fountainhall: Decisions II. 580.

By Christian Hepburn, who died on 18th November 1703, he had two sons:

1. George, fifth Earl of Winton.
  2. Christopher who, according to the genealogist Robert Mylne, died on 5th January 1705 in consequence of a drinking bout at a christening which "kust him "in a feaver, whereof he died". 1.
- He was unmarried.

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When the Earl of Winton died in 1704 he was a widower; his eldest son George, in consequence, it is stated, of a quarrel with his father, the cause of which is unknown, had gone abroad in 1700, and his address was known to nobody. Only the younger son, Christopher, remained with him; and he too died shortly after his father. The Earl's brothers were all dead, and if, as was alleged, George had died abroad, the succession undoubtedly opened to the son of Alexander Seton, Viscount Kingston, as is indicated in the following table:



The consequences of this position are detailed below.

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1. Milne. National Library MS. 34-6-12 p. 509.



George 10th Lord Seton and 5th Earl of Winton  
? 1678 - 1749.

Nothing is known about the fifth Earl's life during his father's lifetime. As stated above he was born out of wedlock and subsequently legitimated by the marriage of his parents in 1682; but the recognition of his legitimacy had to be decided by the Court of Session many years later.

In 1697 the fourth Earl made a disposition of the dignities and estates in favour of George Lord Seton, and sasine thereof was granted on his behalf to Sir Walter Seton on 7th April, and registered in Edinburgh on 5th June 1697.<sup>1</sup>

He was then nineteen years of age.

Some quarrel is said to have occurred between then and 1700, when he left his home and disappeared abroad. This statement is on the authority of Chambers.<sup>2</sup> On the other hand, David Dalrymple (Lord Hailes) in the printed "Information for the Earl of Winton" against Lord Kingston and others, drawn up in 1711, either knew nothing of this or ignored it, and used the argument:<sup>3</sup>

"Was it not notour that the present Earl had gone  
"a little time before abroad, with consent of his  
"Father? Did not Law presume, and the whole  
"World believe, that he was alive?"

Nisbet, again, says Lord Seton "went abroad to his  
"travels in June 1700" and "returned home from his  
"travels the 1st November 1707",<sup>4</sup> and makes no suggestion of any quarrel.

It is reasonable, therefore, to suspect the story about the quarrel with his father, and Chambers' statement that he "hired himself as bellows-blower in the  
"workshop of a blacksmith".

1. Seton Charters <sup>M</sup>11-1 34.
2. Chambers: Stories of old Families 14.
3. Seton Charters <sup>M</sup>11-4 39.
4. Nisbet: Heraldry 1 - 235.

The fact remains that the Earl, when he succeeded, was abroad, and that his friends did not know where he was. On the death of his brother Christopher, in January 1705, the factors of the late Earl recognised that immediate steps must be taken to get in touch with him, and many letters were sent by them to Sir Walter Seton who had already gone to France in October 1704.<sup>1</sup> Their position was difficult as Archibald, Lord Kingston, had already

"unwarrantably entered to the possession of My  
"Lords house".

Sir Walter appears to have found the missing Earl in Geneva, whence he wrote on 30th October 1705 to the Earl of Eglinton.<sup>2</sup> The latter wrote urging Sir Walter to get a "factory" (power of attorney) from the Earl in order that money could be raised from his estate for his journey home.

Failing to get the necessary document, or to induce the Earl to come home, Sir Walter had to leave him, and himself returned to Edinburgh in March 1706.

It was not until 1st November 1707 that the Earl came back to his native land, to find a serious position of affairs. According to Nisbet his first action was to bury - perhaps to reinter - his father, "with great pomp and solemnity", in the aisle of Seton church beside his mother.<sup>3</sup> The suggestion that this was a reinterment is based on a statement made by Dalrymple in the printed "Information" above mentioned that

"it is well known with what atrocious circumstances of contempt the defenders (Archibald Lord Kingston and Hay of Drumelzier) pretended to dis-  
"pose of the late Earl's body, and the body of Mr  
"Christopher his son",

1. Seton Charters  $\frac{A}{5-3}$  154.
2. Seton Charters  $\frac{A}{5-5}$  156.
3. Nisbet: Heraldry 1-235.

Lord Kingston and the Earldom of Winton.

On Lord Winton's arrival home he found that, in his absence, his cousins Archibald 2nd Viscount Kingston and the Hon. James Seton, and their brother-in-law the Hon. William Hay of Drumelzier had taken possession of the Winton estates, had occupied Seton Palace and removed quantities of furniture, jewels, plate and pictures to Drumelzier's house of Whittinghame; they had also broken into the granaries, and seized the casual rents and as much of the real rents as they could induce the tenants to pay.<sup>1</sup>

This action was based on the allegation of the Earl of Winton's illegitimacy.

Winton was compelled to vindicate his position before a jury consisting of fifteen Senators of the College of Justice, including the Lord President, the Lord Justice Clerk, the Duke of Montrose, the Earl of Lauderdale and others. He submitted a formal Retour of Service<sup>2</sup> to his father, as "legitimate heir male", and the evidence of Sir James Ramsay and James Smith, Clerk of Tranent, who had been present at the marriage of the fourth Earl and Christian Hepburn. The Court found in the Earl's favour.

Apart from all other considerations this incident is of particular interest as it marks the first dispersal of the Winton property and accounts for the fact that the Hays of Duns Castle now possess a number of family pictures, the "Marie Seton necklace" given to her by the Queen, and other articles which had been purloined by Lord Kingston and never returned.

1. Dalrymple: "Information" for the Earl of Winton, 19 July 1711 Seton Charters: <sup>M</sup>11-4 39.
2. Register of Retours LIII - 495; Fountainhall; Decisions II 391, 580, 676, 702.

Lord Winton's Disposition of 16th March 1708.

Infuriated at the intromissions of his cousins into the Estate Lord Winton made a disposition soon after his return to Scotland. As he never made another this is of special interest.<sup>1</sup>

He commences with a reference to the resignation of the earldom and estates by his father on 31st July 1686<sup>2</sup> and the regrant thereof under the Great Seal; also to the later disposition of 7th April 1697<sup>3</sup> in favour of his eldest lawful son George Lord Seton and his heirs male, which failing to Christopher and his heirs male, which failing to the Earls heir male, which failing to the heirs female of the above three successively, which failing "to any person the said. "deceast Earl of Winton should design".

He therefore directs his appointed procurators to resign and give over the estates, titles of honour, earldom etc. into the hands of the superiors thereof for new infeftments of the same, with the following dispositions:

"to Us and the heirs male lawfully to be prooveat  
"of our body, which failing to the heirs female,  
"which failing to any person We shall design and  
"the heirs male of their body

"Which failing, Then and in that case  
"To Archibald Seton of Touch and the heirs male  
"of his body, which failing to Mr. George Seton  
"his brother and the heirs male of his body,  
"which failing to our own nearest heirs,

"Secluding and debarring always Archibald,  
"Viscount of Kingstoun, James Seton his brother,  
"Elizabeth Seton his sister spouse of William Hay  
"of Drumelzier and the heirs descending from any

M

1. Seton Charters 11-2 35.  
2. Reg. Mag. Sig. LXXI-94.  
3. Seton Charters M 29.  
10-7



"of their bodies; and we declare that if the  
 "whole heirs of Tailze fail, and that our title  
 "and fortoun shall thereby fall to our nearest  
 "heir whatsoever, whereby the said Viscount, his  
 "brother or sister may claim as our nearest heir  
 "Yet our will is that the said Viscount, his  
 "brother or sister shall in no manner succeed ..  
 "by proving themselves lawful heirs ....

"And sicklyke if it shall happen our estate  
 "shall devolve upon our saids heirs female .. it  
 "shall not be lawfull .. to marry with the sons  
 "or daughters of the said Viscount of Kingston,  
 "his brother or sister or the bairns descending  
 "of them .. or of William Hay of Drumelzier".

This remarkable document was given at Seton before Dr. Archibald Pitcairn of that ilk, Mr. John Stoddart notary, James Smyth "our baillie in Tranent", and Alexander Wilkiesone.

The important features are:

a. the complete alienation of his cousins Lord Kingston, James Seton, and Elizabeth Seton or Hay.

b. the introduction of Archibald Seton of Touch and his heirs male into the line of heirs of entail.

Archibald Seton of Touch had succeeded to his family estates in 1702, and at this very time was awaiting trial for high treason. He succeeded in getting off, but went abroad for a time. (See Seton of Touch).

On the death of his son James in 1722 the heir males of Touch were represented by the Setons of Abercorn who were retoured accordingly in 1761. Had the Earl of Winton not been attainted and forfeited in 1715, and had he never married, the succession to the Earldom of Winton would have devolved, on his death in 1749, under this disposition, on Sir Henry Seton third baronet of Abercorn and his descendants.

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During the Earl's absence abroad events had moved rapidly in the political world, and in March 1707 the Union of the two countries had become "fait accompli". "Now there's ane end of ane auld song" were the remarks of the Chancellor, Seafieid, when he handed the signed Act to the Clerk of the last Scottish Parliament. The "auld sang" had often been full of discords, but the new one gave little hope of being more harmonious.

To many men like the Earl of Winton came the necessity for decision as to what their attitude was to be to a measure which was widely unpopular in both countries and which introduced new parties in Scotland, with opposing interests.

Winton was a Protestant, and, if he had known it, his interests lay in throwing his weight into the scale in support of the Government. He should have recognised that adherence to the Stewarts was a sentiment, that the country preferred a Protestant foreign dynasty to a Catholic Scottish one, and he should have followed the example of so many of his own class and sacrificed his ideals to material gain.

But he took the opposite course. The family tradition of personal loyalty compelled him to join the Jacobite party, and to hazard his life and fortune for a Lost Cause.

The position of parties in both countries from 1702 to 1714 was one of unstable equilibrium. In 1703 there were indications of plotting between the Jacobite party and the Court of France and James VIII, commonly known as The Chevalier or the Old Pretender. Political feeling ran high throughout the sitting of the last Scottish Parliament, and the passing of the Act of Union in 1707 did not cast oil on the troubled waters.

To one party in the nation it meant a hopeful future and a cessation of the strife between the two countries which had lasted for hundreds of years; and this party was, on the whole, anti-Stewart, pro-Hanoverian, and Presbyterian.

To another and smaller party it meant, as Lockhart

says in his Memoirs,

"the Scots were stripped of what their predecessors had gallantly maintained for many hundred years, I mean their independence and sovereignty."

This party was, on the whole, Jacobite and opposed to the Covenants, and attracted to itself naturally all Catholics and Episcopalians.

The conflict between the interests of the one party and the ideals of the other was long and bitter. Looking back on it now, as dispassionately as may be, it is wonderful how the Jacobites forgot the glaring shortcomings of successive Stewarts, in the fervent devotion of the ideal for which they stood. No great foresight was necessary to enable any man to see that the two countries had reached a stage in their national and religious evolution incompatible with Absolute Monarchy, especially with one which stood for the Church of Rome. Mar, Winton, the Murrays, the Gordons, and the leaders of the Jacobite party generally, knew - they must have known - it was a Lost Cause they were supporting; misled they may have been by promises of outside help, ill-advised they obviously were in their military administration, - but at least they followed that Cause to the end; and, when the game was lost, they paid the price, as their ancestors had done before them.

The first serious indication of impending trouble was the abortive French attempt at a landing in 1708, one of the immediate consequences of which was an enquiry into the resources of those suspected of collusion in the matter. In the official list, contained in Patten's "History of the Rebellion" the Earl of Winton is shown as having 300 men. Like others he was a suspect long before he took any overt step.

It was well known, when George I ascended the Throne, in 1714, that the Highlands were in an unsettled state, and, a month after his accession he offered £100,000 to any one who would seize the person of The Chevalier in the event of his landing in the country.

The storm however did not break until August 1715 when the Earl of Mar left London for the North.

The Earl was known as "Bobbing John" because of the rapidity with which he changed his political views. A Privy Councillor under William of Orange, he had joined, deserted, and again joined Queensberry in the reign of Anne; he was one of those who forced on the Union, and thereafter regretted it. He had been secretly Jacobite and yet an apparently enthusiastic supporter of the Hanoverian King on his accession.

Such was the man - no more unsuitable one could have been found - who aimed at leading the Jacobite party in their attempt to restore the old Monarchy. And on 7th September 1715 he raised the Royal Standard at Braemar.

The Government, meanwhile, on 30th August, passed an Act humorously entitled "For encouraging loyalty in "Scotland", under the terms of which forfeiture of estates was to follow conviction of correspondence with The Chevalier.

This is worth noting, as it was in direct opposition to the Law of Treason in Scotland, which, for a period of three years after the Hanoverian succession, was to continue to be the law of the land. Commenting on this, Cosmo Innes in his "Lectures on Scottish Legal "Antiquities" says:

"On the other hand we had not, until the Union, "invented the refined cruelty of punishing the "posterity of traitors, - what the English call "'corruption of the blood'".

The forfeiture of Winton and Kingston in 1716 was a breach of faith with Scotland, in which country forfeiture did not necessarily follow such conviction.

Under this Act the heads of all Jacobite clans and other suspected persons were summoned in September to appear in Edinburgh on a prescribed day. Among those so summoned were the Earl of Winton, Viscount Kingston, and Archibald Seton of Touch. None of them appeared, and they were all denounced rebels. The King's Solicitor also obtained criminal letters against them and each was fined £500 and sentenced to escheat



and a years imprisonment.<sup>1.</sup>

On the following day Winton held a review of Jacobites at Pinkie, news of the preparation for which had already reached the Government.<sup>2.</sup> On this occasion arms and ammunition were served out to those present.

The Earl appears to have remained at Seton until 7th or 8th of October when he marched with a handful of mounted retainers to Moffat to join Lord Kenmure, who had been appointed to command the Jacobite party in the south of Scotland. On the way Kenmure was reinforced by the advent of Winton's kinsmen, Sir George Seton of Garlston, George Seton of Barns, Archibald Seton of Touch and James, third Viscount Kingston.

At this time Winton's personal force consisted of a squadron, one troop of which consisted of his own servants and some "domestic gentlemen";<sup>3.</sup> and other reinforcements arrived later from Seton, including 500 Highlanders under Mackintosh of Borlum.

The next day this force proclaimed the King at Lochmaben and other places, and continued their march to Hawick. Describing the proclamation ceremony at Kelso, Patten wrote:

"The Highlanders were drawn up in the church yard  
"and so marched in order to the market place, with  
"colours flying, drums beating, and bagpipes playing, and there formed a circle, the Lords standing  
"in the centre; there was an inner circle formed  
"also by gentlemen volunteers; then, silence being  
"enjoined, the trumpet sounded, after which the  
"Pretender was proclaimed by one Seton Barnes.  
"(George Seton of Barns) who assumed the title of  
"Earl of Dunfermline".<sup>4.</sup>

Kenmure's force now numbered 1400 foot and 600 horse.

1. Edinburgh Books of Adjournal 15 Sept. 1715.

2. State Papers Scotland. Series II. Bundle 8. No. 71.

3. do. do. Bundle 9. No. 58.

4. Patten: History of the Rebellion 27.

News arrived of the advance of a force against them, under General Carpenter, and there was much discussion as to the action which should be taken. Winton was strongly of opinion that the proper course was to remain in Scotland, to join the clans, and attack Dumfries and Glasgow on the way. Mackintosh and his men not only shared this view but threatened to withdraw altogether if an invasion of England was attempted. The other leaders however were insistent, and it was mainly, if not entirely, due to Winton's personal influence with the Highland troops that they were induced to carry on.

The advance into England began on 31st October, but the Army found itself compelled to leave their guns at Langholm for lack of transport.

Winton's position was difficult; he knew the advance was foredoomed to failure, and the advice he had offered had been very badly received by his colleagues. Patten, indeed, says:

"Afterwards he was never called to any Council of War, which incensed him mightily against the rest of the Lords and commanding officers".

Rae goes further and says the Earl did not really mind, but

"continued to amuse himself with such company as chance threw in his way, and entertained them with stories of his travels and adventure in low life".<sup>1</sup>

On the 14th November, the day before the indecisive action at Sheriffmuir in which Mar's army was concerned, the English army established contact with Kenmure's force at Preston in Lancashire. Hasty defences had been erected, and a desultory sort of action went on for two days, but, eventually, want of powder and the incompetence of the leaders, ended in the capitulation of the entire force.

1. Rae: History of the Rebellion 266, 268.

The Scottish Lords were taken to London, - the Earls of Nithsdale, Winton and Carnwath, Viscount Kenmure and Lord Nairn - and on 10th January were impeached for high treason and given nine days to put in their defences. In the case of Lord Winton, however, the trial was postponed more than once and was not held until the 15th March, lasting the following day and the 19th March 1715/16.

#### The Earl's Trial.

The Proceedings of the trial were printed and published in 1726 and a good deal of information about the part taken by Lord Winton and others is available from that source. From first to last the Earl's attitude was one which was certain to provoke the resentment of the Peers who were trying him.

The witnesses all agreed that he had left Seton with a body of fourteen retainers, which was subsequently increased to a troop, and that, throughout the manoeuvring from place to place in the South of Scotland in the latter half of October he commanded a Squadron, took a prominent part in the proclamations of the Chevalier, and in the distribution of blue and white cockades, and was present and taking part in the engagement outside Preston.

He submitted, at the commencement of the trial, a statement on his own behalf, which was in reply to the articles of impeachment against him by the House of Commons and which was rejected by them. In this not very truthful statement he said that eight years before on his return home

"he was so cautious to avoid giving occasion to  
 "be suspected by the Government that .. he withdrew from all conversation, and confined himself  
 "to his House; yet he could not be quiet or safe,  
 "for many persons of the Militia of Lothian, under  
 "the specious pretence of serving the Government  
 ".. contrary to law, forcibly entered by night in-  
 "to his house .. rifled it, turned his servants  
 "out.

"The most sacred places did not escape their fury,  
 "they broke into his Chapel, defaced the monuments  
 "of his ancestors, thrust irons through their  
 "bodies ... Cannon and mortars were brought to de-  
 "molish his house and several troops of dragoons  
 "having got possession thereof kept guard there,  
 "and, when they left, many of the militia entered  
 ".. till they were driven thence by the Highland-  
 "ers" ...

He then said that "by those and many other severities he was forced to leave and took refuge with his neighbours, but was pursued and "very unfortunately" was "driven into the company of some of the gentlemen named "in the impeachment". For all subsequent happenings he accepted no responsibility.

Naturally such a statement was not taken seriously, if only because the timing of the incidents was demonstrably incorrect.

Actually, on 11th October, four days after the Earl had left Seton to join the southern Jacobites, the small Highland force, under Mackintosh of Borlum, had come across the Forth from Fife, and marched towards Edinburgh. Foiled in a weak attempt to enter the town they took cover in the old citadel of Leith; on the 15th October they were summoned by Argyll to surrender but refused. In the night, however, they got away and went to Seton, which they put in a state of defence. A mixed force of 200 dragoons and 3000 volunteers, under Rothes and Torphichen, tried to dislodge them on 19th October, but failed. Again they got away in the night and retired South; and the next day Polwarth, writing to Marchmont, said

"I ordered a detachment of fiftie men of the battalion to take possession of it last night".<sup>1</sup>

It is evident that the Earl's dates, and his inferences, do not bear examination. The facts stated as regards the church at Seton, however, are demonstrably and notoriously accurate, but the reason for the action of the East Lothian militia is unknown. Lord Torphichen

1. Historical MSS. Comm<sup>n</sup>. Vol. 15. Pt. 9. p. 129 (Hope Johnstone MS.)



was a Regular soldier and was in command of the party of 500 men who marched from Edinburgh to Seton on 17th October<sup>1</sup> and must be held responsible for the desecration. The Earl of Rothes, who was also concerned, probably had a personal feeling against the Earl of Winton, as his wife Jean Hay was a niece of William Hay of Drumelzier.

There is no doubt the Earl of Winton was a contumacious prisoner, pretending not to understand the questions asked and merely repeating his innocence of the charges. The result was that the whole of the 88 peers who tried him adjudged him guilty and he was sentenced to death in the usual barbarous terms, on 19th March 1716.

The execution of the sentence, however, was unaccountably postponed from time to time, and it appears probable that political influence was brought to bear in his favour. On July 30th the Scots Courant published a letter from London saying that he, Lords Carnwath, Nairn and Widdrington were reprieved for 3 months more; but on 4th August 1716 Lord Winton escaped from the Tower, and got abroad.

#### Lord Winton's imprisonment in the Tower.

Certain most interesting facts are known about the Earl's imprisonment.

One of his friends was Dr. Archibald Pitcairn of that ilk, an eminent Edinburgh physician, who had married as his second wife in 1693 Elizabeth Stevenson, also a doctor.<sup>2</sup> Dr. Pitcairn died in 1713, leaving by her two sons and two daughters. One son Archibald came out in the Rising and was captured and sentenced to death, but was released through private interest

1. Scots Peerage VIII. 394.

2. Pitcairn: History of the Fife Pitcairns p. 374.

with Walpole (afterwards Earl of Oxford).

On 16th February 1716 Elizabeth came to the Tower and saw the Earl and brought him a sum of £1000 sterling from his estates, she having on 27th January been appointed by him his "factrix". For this money he gave a receipt.<sup>1</sup> On a later occasion she brought him a further sum of £5000. This was only discovered in 1724 when she addressed the Commissioners of Forfeited Estates,<sup>2</sup> stated what she had done and told them that, as factrix, she had recouped herself £1120, and claimed the balance of £3879 out of the Estate.

In the very rare printed pamphlet, in which this appears, she is said to have put forward some letters to her from a Mrs Corsbie "who was then attending the "said Earl" in prison. This woman had an alias "Margaret McKlear". The Earl's solicitor Charles Menzies W.S., also deponed that this lady "by favour of the "warders" had access to the Earl. She was in London as a witness for the Earl.

The most interesting thing in the case, however, is that in 1824 one "George Seton, saddler" claimed the Earldom as a descendant of a marriage between Margaret and the Earl. This will be dealt with later.

The Earl, through the activity of Elizabeth Stevenson, had money, and the simplest explanation of his escape from the Tower was that he had bribed his two warders and walked out. The warders admitted that they had absented themselves, contrary to orders. It is at least unnecessary to accept the statement of Lady Cowper<sup>3</sup> that he sawed an iron bar through with a watch spring - especially as she describes him as

"a natural fool, or mad, though his natural character is that of a stubborn, illiterate, ill bred "brute. He has eight wives".

- |                    |             |     |
|--------------------|-------------|-----|
|                    | M           |     |
| 1. Seton Charters: | <u>11-6</u> | 41. |
| 2. Seton Charters: | M           | 42. |
|                    | <u>11-7</u> |     |

3. Diary of Mary, Countess Cowper. 98.

This Lady of the Bed-Chamber was obviously a poor judge of breeding and may well have invented the story of the watch spring.

Contemporary as well as later historians have been unfair in their estimation of the character of the last Earl of Winton.

Thus Mackay says:

"he was mighty subject to a particular caprice  
"natural to his family".<sup>1</sup>.

without attempting to define that alleged defect.

One of the Counsel pleaded in Court that he was

"in that doubtful state of memory, not insane  
"enough to be within the protection of the law  
"nor sane enough to do himself the least service".

Justin McCarthy too describes him as

"a poor feeble creature, hardly sound in his mind"<sup>2</sup>.

On the other hand, Sir Walter Scott considered

"he displayed more sense and prudence than most  
"of those engaged in that unfortunate affair".<sup>3</sup>.

Patten too considered that

"all his actions speak him to be master of more  
"penetration than many of those whose characters  
"suffer no blemish as to their understanding".<sup>4</sup>.

That Winton had a hot temper is more than likely; it is shown in his portraits, and, as late as 1743, when Lord Elcho met him at the Jacobite Court at Rome, he was temporarily in disgrace for having quarrelled with a gentleman, and having drawn his sword in the presence of James.

#### Later Life.

After escaping from the Tower the Earl found his

1. Mackay: Memoirs 252.

2. McCarthy: History of the Four Georges 1. 186.

3. Scott: Tales of a Grandfather Chap. LXVIII.

4. Patten: History of the Rebellion.

way to Rome, and there he lived and died in 1749 aged seventy. The local tradition that he once returned to Seton may or may not be true.

He can have had little money, but managed to carry on social life of a sort. In 1736 his name appears in the Minute Book of the Masonic Lodge in Rome as having become a Mason, while the following year he was Grand Master.

In 1740 he was in the Chevalier's Cabinet.<sup>1.</sup>

Vagrant Scots met him occasionally and, in 1736, Sir Alexander Dick speaks of having met him and others in a coffee house where they "fell a singing old Scots "songs and were very merry".<sup>2.</sup>

In September 1743 Lord Lovat wrote to Lord Grange sending him a cypher in which Lord Winton is referred to as Mr. Hepburn.

#### Marriage.

Lord Winton never made a recognised marriage. It was alleged, by a claimant to the Earldom, that he had married about 1710 Margaret McKlear; but this was never proved. It is however certain from the evidence of Elizabeth Stevenson referred to above that he had by her a son John and a daughter Christian.<sup>3.</sup>

From them may have descended unidentified Setons.

#### Disposal of the Winton Estates.

It has been stated above that, before the Earl of Winton came home in November 1707, his next of kin Archibald Viscount Kingston, and the latter's brother James and sister Elizabeth, had presumed his death and had entered into the estate and removed furniture, pictures and certain articles of historical interest to

1. Earl of Oxford: Memoirs of the Reign of Georg II (1862) 1.253.

2. Gentleman's Magazine June 1853 p. 580.

3. Seton Charters: M p. 42.



the house of Hay and Drumelzier. Whether any of them were returned is not known; many, however, were retained and are now in the possession of the Hays of Duns.

At some period before he "went out" in the Rising of 1715 the Earl sent at least two family pictures of George 5th Lord Seton to James, twelfth Lord Somerville, to be looked after. This was a common practice in Scotland when the owner of valuables distributed them among his friends to prevent their total loss if things went badly. These pictures were never returned, and they are at present in the possession of Sir Theophilus Biddulph Bt., whose mother was Mary, last daughter of Kendon, seventeenth Lord Somerville; and they are at his house The Pavilion, near Melrose.

Similarly the Earl handed over a good many family things to Archibald Seton of Touch. These included a picture of himself as a young man by Rigand, the well known armorial pedigree of the family, the Queen Mary quilt, and the Earl's official habit etc. These descended in due course to Sir Douglas Seton-Stewart Bt., who gave or bequeathed them to Sir Bruce Gordon Seton Bt.

At his death the Earl left a picture which had been recently executed of him as a gentleman in waiting at the Chevalier's Court to the Setons of Touch. This also came by the same channel to Sir Bruce Seton.

By an Act of 1715 Commissioners were appointed to take over and administer the estates forfeited by those who had taken part in the Rising. 1.

Their first difficulty was that the creditors of these estates lodged claims in the Court of Session to prevent disposal of them before their own debts were discharged; and many of them - and some of the Lords of Session - were Jacobite in their sympathies.

1. Forfeited Estates Papers (Sco. History Soc.). Introduction.

The rents of the estates, too, were normally paid in kind, and valuation rolls had to be prepared before the Commissioners could realise the properties.

A Manuscript report in H.M. Register House, Edinburgh shows that the abstract of the rental of the Earl's real estate was made up of cash £266, proceeds of coal pits and salt pans £1000, and "payable in kind" £2126.

Owing to the impoverished condition of the country no competition for the purchase of these properties could be looked for, and it appeared probable that - as actually happened in some cases - they would be acquired at very low prices by relatives of the attainted owners.

Before a decision could be arrived at, as to the policy to be adopted, a speculative Company in London, the "York Building Company" raised over a million pounds and started buying up the properties.

In October 1719 they bought the Winton property<sup>1</sup>. from the Commissioners, in lots, for £50,300, the estimated net annual value being £3400. They tried to carry on the coal pits at Tranent and the Cockenzie salt pans, and spent considerable sums on works such as a "fire engine" or pump, and a wooden railway two miles long from the pits to Cockenzie; they also set up a glass factory at Port Seton. But they failed to get a return of £500 a year, and as their other ventures were no more successful they went bankrupt.

An Act of 1727 then intervened, and handed over the administration to the Barons of Exchequer in Scotland.

The estates of Seton, Winton and Longniddry were leased for 29 years to George Buchan of Kelloc, Clerk to the Lords of Session, at the rent of £1500 a year. He, and his son John Buchan of Letham who succeeded him in the lease, practically administered the property

1. Seton: Family of Seton II. 1009-1018.

until 1777. This John Buchan married Elizabeth, daughter of Patrick Hepburn of Smeatoun; and their eldest son George, who became a baronet, assumed the surname of Buchan-Hepburn.

The interest of this marriage lies in the fact that the baronets of Buchan-Hepburn have been in possession of minatures and other articles taken from Seton Palace.

In 1777 the creditors appointed one Alexander Mackenzie W.S. their agent, and he at once set about having the property sold in lots.

The sale took place on 15th February 1779 in the presence of Lord Monboddo, and as might have been expected Mackenzie and Buchan-Hepburn bought large parts of it, the former acquiring nearly the whole of Seton and the latter Tranent and Cockenzie. The price realised for the whole estate was £111326.

During this time Seton Palace had fallen into disrepair, but it had been occupied for some time by Elizabeth Stevenson or Pitcairn. Writing to Alexander Hay or Drumelzier in February 1757<sup>1</sup> from France, Sir George Seton Bt. of Garlston refers to the wrecking of the house and its contents and says "the auld "wife Pitcairn" had pilfered many things and "furnisht "an apartment in Winton of the debris and plunder of "Seton House". At the same time he asks Hay if nothing can be done to recover the family pictures from Lord Somerville,

"which he alwaise said he would give up to the "family".

Eight years after the Rising, in 1723, Macky<sup>2</sup> says there were

"two large galleries that were filled with pictures; but on my Lord Winton's forfeiture all "these were sold by the Commissioners of Inquiry, "or stolen by the servants; and now there is not

1. Seton: Family of Seton II. 913.

2. Macky: Journey through Scotland.

"a whole window in that side of the house. The  
 "fine furniture of crimson velvet laced with gold  
 "was sold by the Commissioners but the other day".  
 In 1785 litigation arose between the York Buildings Co.  
 and Mackenzie. After eleven years the case went to  
 the House of Lords which, on 13th May 1795, decided  
 that, as Common Agent, Mackenzie was "disqualified  
 "from purchasing at the judicial sale carried on under  
 "his direction"; and the property of Seton acquired  
 was again put up and acquired by the Earl of Wemyss,  
 whose successors still own it.

Mackenzie, however, had already sold the fabric  
 of the Palace and the demolition was completed in 1789.  
 The existing house is a modern one designed by John  
 Adam.

The church was left in the condition the Lothian  
 Militia had produced but was ultimately partially re-  
 stored.

Winton Castle was sold, along with the estate, to  
 Hamilton of Pencaitland. It ultimately passed to Mrs  
 Nisbet Hamilton-Ogilvy of Belhaven, and, from her, to  
 her relative Mr. Gilbert Ogilvy, its present owner.

The rest of the property was disposed of by a  
 series of family arrangements which, no doubt, account-  
 ed for the small sums realised.

Thus John Cadell of Cockenzie, who had leased the  
 coal pits of Tranent and made a large fortune, was mar-  
 ried to a sister of Buchan-Hepburn; another brother-  
 in-law of the latter was John Glassell, who came home  
 from Virginia and bought Longniddry.

It is said that Mr. Robert Hay of Drumelzier, and  
 other friends of the family of Winton, wanted to buy  
 part of the estate for Ralph Seton of Garleton, but  
 gave up the idea when it was exposed in lots.<sup>1</sup>

1. Seton: Family of Seton II. 1013.

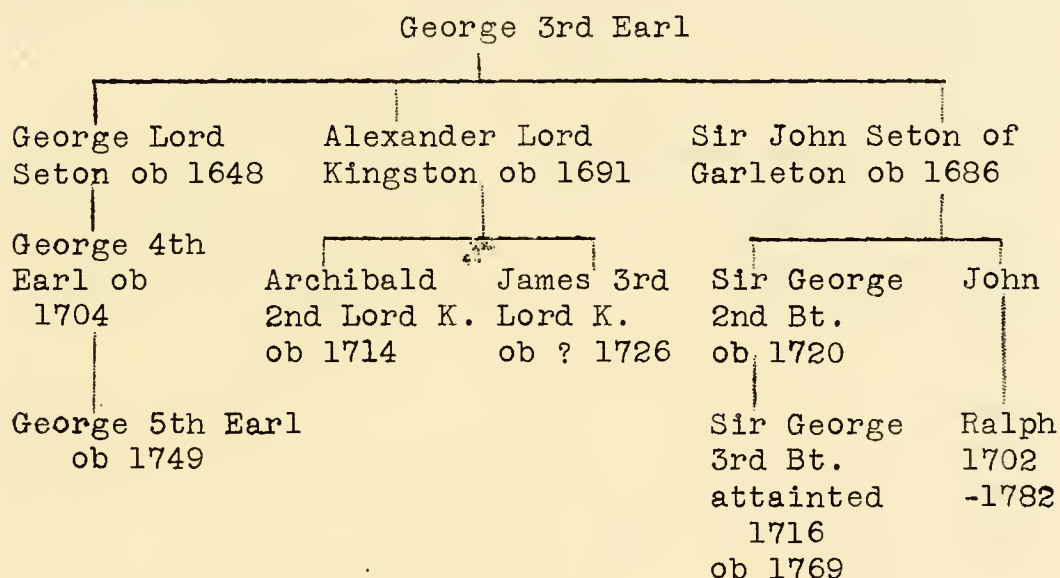


Representation of the Earls of Winton.

George 5th Earl of Winton died in Rome on 19th December 1749 without legitimate issue. The estates were already forfeited to the Crown owing to his attainder, and the honour during his life time was in abeyance.

When he died, however, the right to the honours devolved on the nearest heirs successively under the charter of 1686, that is as heirs male of George the fourth Earl.

These heirs are shown in the following Table.



It will be seen from the above that the Setons, Viscounts Kingston, were gone, without male issue; the next heir was Sir George Seton Bt., third of Garleton, who was himself attainted at the same time as the fourth Earl. He was living abroad, and, after the Earl's death, was generally styled Earl of Winton. He died at Versailles on 9th March 1769, and in the Annual Register for that year is styled "a Scottish Peer".

The next heir male was Ralph Seton, cousin of Sir

George Seton. He died in 1782 at Newcastle; the Burial Register styles him "Lord Seton, representative of George Seton, Earl of Winton, attainted". He left a brother John, who died in 1775 leaving a son John who also died in 1796 without making any claims to the family honours.

With the extinction of the Setons of Garleton in 1796, who at least had a genuine claim to the Winton honours, it might be supposed that no remaining heirs of the fifth Earl would be discovered.

In July 1825, however, one George Seton, saddler, in Bellingham, Northumberland, claimed to be a descendant of a son of the Earl himself. In the absence of any opposing party he appeared before the Bailies of the Canongate Edinburgh and got himself served heir male of line of the fourth Earl, who he alleged was his great great grandfather.<sup>1</sup>

He described himself as son of Charles Seton, and grandson of Charles Seton "only son" of the fifth Earl, by Margaret McKlear, who, he alleged, had married the Earl "about 1710". He produced witnesses, but they differed as to the place of the ceremony.

A suit for the reduction of this service was immediately raised by the tutors of Archibald Earl of Eglinton, then a minor; the claimant was found to be unable to prove the Earl of Winton's marriage; and the service was reduced and annulled by the Court of Session on 7th July 1826.<sup>2</sup>

The claimant may certainly have been son of the Earl by Margaret McKlear, as the correspondence referred to above in regard to the Earl's confinement in the Tower mentions a son Charles; but he was a natural son.

Meanwhile the tutors of Archibald William thirteenth Earl of Eglinton prepared a claim to the Winton

1. General Retours 25 July 1825.

2. Acts and Decrees CXI 252; Scots Peerage VIII. 605.

honours on his behalf. This claim fell under two heads:

1. Heir male general to George fourth Earl of Winton.
2. Heir male of provision to the same under the terms of the Charter of Resignation, Novodamus and Erection dated 31st July 1686, owing to the failure of all the heirs called by the first and second substitution clauses in that Charter.

On 22nd December 1840 the Earl of Eglinton procured himself served nearest and lawful heir male general to George fourth Earl of Winton, eldest brother to his own direct ancestor Alexander Seton sixth Earl of Eglinton.<sup>1</sup>

He did not however establish his right to the peerage dignities of Winton, though on 17th June 1859 he was created Earl of Winton in the United Kingdom.

The Earls of Eglinton therefore do not hold the old Scottish Earldom of Winton created on 16th November 1600.

1. Scots Peerage III. 445.

Chapter VSETON OF PARBROATH.

(origin doubtful).

Parbroath

Parbroath, or Pitbroad, as it is shown in Ainslie's map of Fife dated 1774, is near Cupar. It was in the possession of the branch of the family of Seton which was called after it from the time of David II until the beginning of the seventeenth century, when it was sold to the Lindsays.

Scot of Scotstarvet, in "The staggering state of "Scots statesmen from 1550 to 1650" says:

"the memory of that family is extinguished, albeit  
"it was very numerous, and brave men descended  
"thereof".

And, when Sibbald wrote his history of Fife, early in the eighteenth century, the family house was a ruin.

The lands of the barony of Parbroath, as detailed in a charter dated 9th May 1601, comprised "the manor  
"and mains of Parbroath, lands of Lawdifferone, of  
"Ecaster, Middle and Loppie Urquharts, lands of Kingask,  
"with the manor and lands of Lellok in Fife; lands of  
"Haystoun and Scroggarfield in Forfar, the rectorage  
"and vicarage of the Parish Church of Crieff".<sup>1</sup>

The Setons of Parbroath.

This was the earliest branch from the main line of the family. They settled in Fife, and although only one of them took a prominent position in the country, they were a typical Fife family. At the

1. Reg. Mag. Sig. XLIII 166 9 May/26 June 1601.



beginning of the seventeenth century, in 1608, the property was appraised for debt. The descendants of the laird of that time ultimately emigrated to America, and from them are descended most of the Setons now found in the United States.

The earliest known member of this branch was John Seton of Parbroath.

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### 1. John Seton of Parbroath.

According to Maitland

"King David II gave to Sir Alexander Seton the heretrix of Parbroath callit Elizabeth, dochtir and air to Sir Nichol Ramsay, Knight; quhilk Elizabeth the said Sir Alexander gave in marryage to his sone callit Johne".

This Sir Alexander was the defender of Berwick, who died about 1349.

Although this statement has been generally accepted by later writers, notably by Mr. George Seton and Monsignor Seton, there is not only no documentary evidence in support of it, but, as shown above in the discussion on the succession of the main line after the death of Sir Alexander, it seems impossible that Maitland was correct.

Sir Alexander had a son Sir John who was dead before 16th April 1346, when Sir William Douglas of Liddesdale entered into an agreement with "Sir Alexander de Seton, Knight" to make certain payments in consideration of

"the marriage of Alexander de Seton, son of umquhile (deceased) Sir John de Seton, heir of the said Sir Alexander, with Margaret, daughter of the deceased Sir William de Ruthven".<sup>1</sup>

Even if Sir John had, besides a son Alexander, a

1. Registrum Honoris de Morton II. 49.

second son John who married the heiress of Parbroath, the difficulty would remain; for, on the death of this young Alexander in or about 1346, the second son John would have become heir to the Seton estates; instead of which they devolved on Margaret Seton and her issue.

It must be admitted that it is not possible to identify the John Seton who became the founder of this branch of the family; nor are there any charter references to him.

## 2. Alexander Seton of Parbroath.

This Alexander was, presumably, son of the above John. Absolutely nothing is known about him, except that, in the heraldic pedigree of the family drawn up in the 16th century and now in the possession of the writer, he is said to have married Mary Vipont, of the old family of "de Vetere Ponte", a branch of which had long been settled in Fife.<sup>1</sup> She may have been related to Alan de Vipont, governor of Lochleven Castle.

He appears to have left a son Gilbert.

## 3. Sir Gilbert Seton of Parbroath.

The only definite reference to this individual is when he witnessed a charter of lands by Archibald Earl of Douglas, dated 15th March 1425/26.<sup>2</sup>

According to Maitland he married Marion, daughter of Pitcairn of that ilk; and by her is said to have had five sons:

1. Alexander, who succeeded to the estates.
2. William. All that is known about him is that he had a son William who married Katherine Butler of

1. Nisbet: System of Heraldry 1. 209; Lawrie: Early Scottish Charters 410, 416.

2. Reg. Mag. Sig. II. 70 of 15.3.1425/26.

Rumgavie or Rungallie. They also had a son William, who was killed at Pinkie in September 1547.<sup>1.</sup>

3. John. He married Jonet, daughter and heiress of Lathrisk of that ilk, and founded the Lathrisk branch of the family. (see below).

4. David. According to Maitland:

"Maister David was ane singulare honest man, "and marriit all his eldest brother's douchteris "after his deceiss on landit men, and payit their "toucheris".

He was educated in Paris and became a Doctor of Civil and Canon Law and took Holy Orders. He was generally styled the Parson of Fettercairn. His name appears frequently in the reigns of James III and IV as witness to charters.

In January 1490 he must have gone on a mission to England, as the Treasurer's Accounts show that he had a sum of twenty Rose Nobles (£36) from the Comptroller "quhen he past in England".<sup>2.</sup>

As a Doctor of Laws he once defended his kinsman Lord Seton before James IV, in a case in which the Crown claimed certain lands.

Maitland says he died "undecrepit" at the age of eighty.

5. Gilbert was in Holy Orders. He is said to have died in Rome.

#### 4. Alexander Seton of Parbroath.

ob circa 1512

In 1494 there is an entry showing Alexander had been "convict of errour" - the nature of which is not stated - and had paid a "composicioune" of £100.<sup>3.</sup>

1. Register of Acts and Decrees 18 Dec. 1555.

2. Treasurer's Accounts 1. 174.

3. Treasurer's Accounts 1. 210, 243.

Between 1496 and 1503 his name frequently appears in connection with disputes with Michael Balfour of Burleigh in regard to certain lands.

According to Maitland he married Helen, daughter of Sir William Murray. The Scots Peerage shows that her father was Sir William Murray of Castleton, who was killed at Flodden, the second son of Sir William Murray of Tullibardine.<sup>1</sup>

She must have died before 1473, when Alexander had Royal confirmation of half the lands of Leuchland and an annual rent of 20 shillings from Balbirnie in Angus, which he had resigned, in favour of himself and his wife Katherine de Creichtoune.<sup>2</sup>

By her he had two sons:

1. Alexander - younger of Parbroath, who predeceased his father about July 1512. He married Catherine, daughter of John, first Lord Lindsay of the Byres, and sister of the Christian Lindsay who, in January 1458/9, married John, Master of Seton. A short time before his death he made over the lands of Parbroath to his son John.<sup>3</sup>

He left three sons and a daughter:

a. John who succeeded.

b. Andrew who succeeded John.

c. David. He and his brother Andrew were concerned, in December 1526, in some State trouble with Archibald, Earl of Angus, for which they received "remission". He was a student at St. Andrews in 1516, and took the degree of Master of Arts in 1518.

d. Janet.

2. Kentigern or Mungo had a charter of half the lands of Leuchland and 20 shillings from Balbirnie in October 1498<sup>4</sup> which were resigned in

1. Scots Peerage 1. 461.

2. Reg. Mag. Sig. VII. 275. 8 Jan. 1472/3.

3. Reg. Privy Seal IV. 177, 194.

4. Reg. Mag. Sig. XIII. 400.



his favour by his parents.

Alexander Seton of Parbroath was dead before 28th July 1512, when his grandson John had a charter of the estates.

#### 5. John Seton of Parbroath.

ob 1513.

On 28th July 1512 John Seton had a charter from James IV of the lands and barony of Parbroath which are defined as follows:

"the manor and dominical lands of Parbroath; the  
 "lands of Landisfern, with mill; annual rent of  
 "6 pounds from the lands of Ramsayforthir; the  
 "lands of Urquharts, namely Estir Urquhart,  
 "Myddil Urquhart and Loppy Urquhart, in the  
 "county of Fife; the lands of Haiston and  
 "Scrogarfield in the county Forfar; which were  
 "in the hands of the King for 50 years, by rea-  
 "son of non entry, with their fermes (rents)  
 "during that time; which fermes up to the time  
 "of entry of the true heir the King conceded to  
 "John, under the Privy Seal;. . . and which the  
 "King incorporated anew in a free barony of  
 "Parbroath".<sup>1</sup>

John did not live long to enjoy his property, as he was killed at Flodden in 1513, and was succeeded by his brother.

#### 6. Andrew Seton of Parbroath.

Andrew succeeded his brother John.

In 1526 he had a remission under the Privy Seal<sup>2</sup> for himself and his brother David "for complicity with "Archibald Earl of Angus" - the sixth Earl who had married the widow of James IV. The occasion referred

1. Reg. Mag. Sig. XVIII. 78 of 28.7.1512; Reg. Privy Seal IV. 494.

2. Reg. Privy Seal VI. 50 of 15.12.1526.

to was probably after the return of Angus from France in 1524, probably when he refused to surrender the guardianship of the young King to the Earl of Arran.

When, in 1532, James V, in the pursuit of the Douglas family, caused Lady Glamis to be tried for her life on the totally unfounded charge of having poisoned her first husband,<sup>1</sup> the laird of Parbroath was appointed to serve on the jury, but refused to do so, and was fined.

The King however must have overlooked this later, as, in December 1536, he granted to him and his son Gilbert, the lands of Ballindera in Angus, "pro bono servitio".<sup>2</sup> These lands, it is stated

"were formerly held by the said Andrew of the late John, Lord Glamis, and had devolved on the King on account of the crime of John, late Lord Glamis, son and heir of the said late Lord Glamis".

During the troubled times of the Regency of Marie of Lorraine Andrew Seton was actively engaged against the English. On 23rd June 1549, it is stated in "The history of James the Sext"

"he, being a gentleman favorer of the Quene, wroght be sic slight that he wan the castell of Bruchtie in the river Tay fra the hands of those that held it, for the Regent".

The date of his death is unknown, but was after 1554. Andrew Seton is said to have married a daughter of David Balfour of Burleigh,<sup>3</sup> and by her had issue:

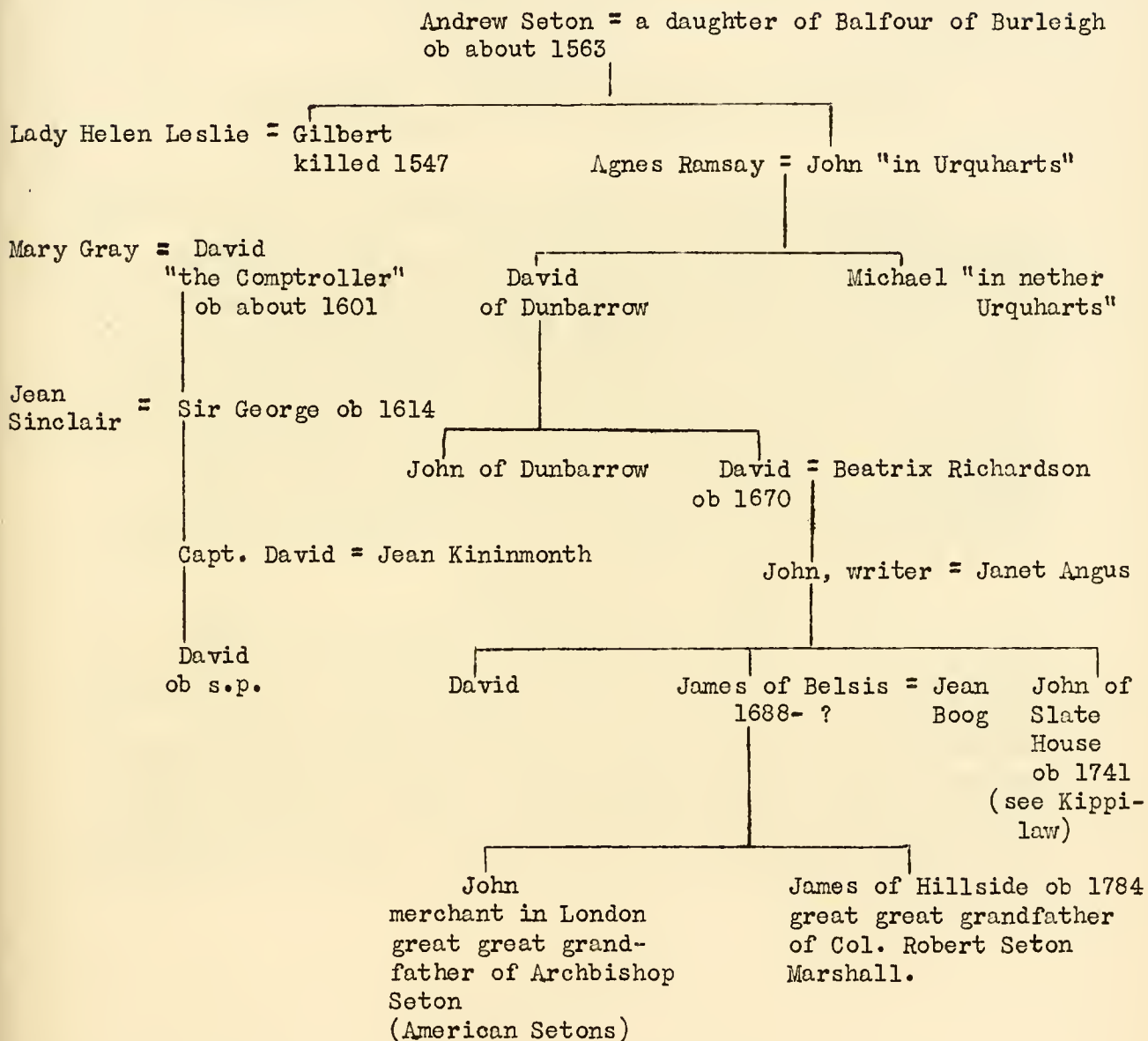
1. Gilbert younger of Parbroath. See below.
2. John. In 1581 he had a grant from his nephew David of a lease of the lands of Nether Urquharts, and was generally styled "John Seton in Urquharts". He married Agnes Ramsay, and his

1. Scots Peerage VIII. 279.

2. Reg. Mag. Sig. XXVI. 292 of 15.12.1538; Scots Peerage VIII. 281.

3. Scots Peerage: 1. 533.

descendants are as shown in the following table  
compiled by Col. Robert Seton Marshall.



3. Margaret married 30 November 1548 Thomas Lumsden of Ardree, Fife.<sup>1.</sup>

4. Christian married Henry son of David Pitcairn of Forthir. She was a widow in 1554.<sup>2.</sup>

Sir Gilbert Seton, younger of Parbroath.  
ob 1547.

Gilbert Seton was killed at Pinkie on 10th September 1547, during his father's life time - He is styled "Knight" in a letter of Gift under the Privy Seal.<sup>3.</sup>

In 1542 he married Lady Helen Leslie, daughter of George fourth Earl of Rothes and Margaret Crichton, natural daughter of the Princess Margaret Stewart by William third Lord Crichton.<sup>4.</sup> It is probable that this semi-Royal relationship accounted in no small degree for the rise in the fortunes of the family of Seton of Parbroath in the person of Sir Gilbert's son, David.

By this marriage there was at least one son David who succeeded, and possibly a second Henry.

1. David, who succeeded.

2. Henry - On 11th December 1570 Henry Seton is said to have beaten and threatened to kill John Kirkaldy, cousin of Sir William Kirkaldy, of Grange, at Dunfermline. He then went to Edinburgh and "most "proudlie" insulted Sir William's servants, who promptly assaulted him. He wounded one of them, whereupon the rest set upon him and killed him. One of the servants was arrested and put in the Tolbooth, but was rescued by ...

1. Reg. Privy Seal XXII 54. 30.11.1548.
2. Reg. Acts and Decrees. X. 89.
3. Reg. Privy Seal XX. 71.
4. Scots Peerage III 289.



with an armed force, at night.<sup>1.</sup>

3. Janet. The Scots Peerage says that, in 1567, she married James Hamilton of Samuelstone.<sup>2.</sup> There is a reference, possibly, to her in the Treasurer's Accts. of 1561

"to Peir Martyne, tapescher (tapestry maker)  
"for making of Nicolace Wardlaw and Jonet  
"Setoune . . . bed".

7. David Seton of Parbroath. "The Comptroller"  
1543 - 1601.

David succeeded his grandfather Andrew, and was served heir to the latter in the estates of Parbroath in 1566, and again in 1577 and 1592 for the lands of Ards in Logie Montrose and Blelok in Fife.<sup>3.</sup>

He took a somewhat prominent part in the history of his time.

The first reference to him arose out of his contumacious refusal to marry a lady of the name of Nicholace Wardlaw, which had been arranged by his grandfather and one Patrick Wood. On 3rd Sept. 1562 a notary was sent to him

"with ane procuratorie of the Queen's Grace to

"require Seton of Perbrotht to compleit marriage".<sup>4.</sup>

David, however, was strong minded enough to refuse, and in 1566 she married Patrick Wood of Bonytoun.<sup>5.</sup>

In August 1565, when the Protestant Lords showed their resentment against the Queen's marriage to Darnley by taking up arms, David Seton joined them; and on 16th August he was ordered to enter his person in ward within Dumbarton Castle "for association with

1. Bannatyne: Journal (1806 Ed.) 67.

2. Scots Peerage VII. 289.

3. Special Retours Fife. 51 of 19.5.1563; 1504 of 16.8.1592; Forfar 14 of 18.6.1577.

4. Treasurer's Accounts XI. 197.

5. Reg. of Acts & Decrees VII. 357.

"James, Earl of Murray". Failing to comply he was declared a rebel and put to the horn, and his goods escheated.<sup>1</sup> This shows that he had joined the Reformation party, and accounts, no doubt, for his marriage in 1568 to the daughter of Lord Gray who was one of the early supporters of that movement.

It is not clear whether he was pardoned during the remainder of the Queen's reign in Scotland. His American Seton descendants have a miniature of the Queen said to have been given to him by her, and the case is inscribed with the statement that he was her "loyal adherent". The only evidence that he had somewhat changed his views was the fact that, in 1571, he was concerned with the Hamiltons and Kirkcaldy of Grange in fortifying Edinburgh Castle against the Regent Lennox and the King's party. For this offence he was again forfeited on 30th August 1571, and was not pardoned until April 1573, when he tendered his allegiance to the King and obedience to Morton, the new Regent.<sup>2</sup>

From this time his successful career commenced.

On 16th March 1587/8 he was granted a charter, with the assent of Sir John Seton of Barns, the Keeper of the Rolls, appointing him "heritable keeper of the "East and West Lowmonds" of Falkland;<sup>3</sup> this was followed in the following year by a grant to his son Andrew of a 19 years tack of the coal to be found in that area.<sup>4</sup>

On 30th March 1588 he had a letter of gift of the escheat of goods belonging to one Elizabeth Baxter, which were in the King's hands through the said Elizabeth

"drowning of herself in ane sink hoill within the "burgh of Kirkcaldie".

1. Treasurer's Accounts XI. 397, 424, 425.
2. Reg. Privy Council II. 210.
3. Reg. Privy Seal LVII. 55.
4. Reg. Privy Seal LX. 57.

On 25th November 1588 David was appointed "our Soverane Lordis Comptrollare through his haill realme",<sup>1</sup> a most important post which he held until 1595, and became in consequence one of the most powerful personages at Court. To him were assigned the collection and disbursement of the revenue from Crown Lands, the Burgh "mails" and customs levied on merchandise, as distinct from feudal duties and Court fines which fell to the Treasurer's Department.

Like any man in such a position David had enemies, and in September 1599 a complaint was made to the Privy Council that he owed the King £3053; in due course he was ordered to pay it under penalty of prosecution,<sup>2</sup> but there is no evidence that he ever did so.

In May 1590 he was appointed the Queen's Chamberlain and Receiver of the Lordship of Dunfermline.<sup>3</sup>

An indication of his associates at this time is given in a "band" drawn up and signed by Ludovick Duke of Lennox and many others, dated 6th May 1593, by which they bind themselves for a year to refrain from wearing clothing that is

"begaried (variegated), laid over with pasmentis (lace), bissettis (gold or silver plates) lille-  
"kynes or frenzies (fringes) of gold, silver, or  
"silk".

This was a protest against the action of tailors in supplying "counterfaitit" ornaments.

The penalty for breaking the agreement was to be £100 Scots to be expended on "a banquette in Johnne Killochis house".

The signatories included Lennox, William fifth Earl of Morton, John second Earl of Mar the King's friend, John Ramsay, Sir Michael Elphinstone Master of the Household, Walter Stewart, afterwards Lord

1. Reg. Privy Seal LVIII. 57.

2. Reg. Privy Council VI. 27.

3. Reg. Privy Seal LX. 133.

Blantyre and David Seton.

In May 1598 David disposed of an annual rent of 800 merks from his Urquhart estates to Edward Bruce, Commendator of Kinloss. This suggests that at the time he was in need of money.

The Gray Inventory<sup>1</sup> indicates that David Seton was dead before 1600, when his wife is styled a widow. On the other hand on 26th June 1601 the King confirmed a charter by him dated Parbroth 9th May 1601 disponing the whole of his estates to his eldest son George.<sup>2</sup>

The author of The Family of Seton speaks of him throughout as Sir David. This is not supported by the Records.

### Marriage.

On 12th April 1568 David Seton married Mary daughter of Patrick fourth Lord Gray; by her he had issue.

1. George who succeeded.

2. David. In 1608 it came to the notice of the Privy Council that Patrick Lord Sinclair, his sons and David Seton on the one hand, and George Martin Laird of Cardon and his sons on the other, had arranged to settle a dispute about some land by a fight "a outrance". The Lords of Council summoned them to appear without arms and to bring all documents concerning the challenges with them.<sup>3</sup> What happened is not known. In 1619 David was made a burghess of Aberdeen.

3. John went to Virginia in 1635. There are no known descendants of him in America. He may have been a 'natural' son of the Comptroller, who had a grant of some escheated property in 1592.<sup>4</sup>

4. Andrew, as stated above, had a tack of the coal in the West Lowmonds of Falkland in 1589.

1. Gray Inventory II. 465; Scots Peerage IV. 283.

2. Reg. Mag. Sig. XLIII 156.

3. Reg. Privy Council VIII.

4. Reg. Privy Seal LXIV. 55.



5. Robert whose name appears as witness to his father's disposition of the estates in May 1601. He may perhaps have been the "Captane Robert, sum tyme Archear to the King's Majestie in "France" in 1588.

6. William shown, in a charter of December 1602, as "brother german" to George.

7. Mary married David Skene of Petterton.

8. Margaret married Sir John Scrymgeour of Dudhope, subsequently created Viscount Dudhope.<sup>1.</sup>

8. Sir George Seton of Parbroath.

1569 - circa 1614.

It has been stated that David Seton, "the Comp-troller", gave a charter of an annual rent of 800 merks out of the lands of the three Urquharts to Edward Bruce in June 1598.<sup>2.</sup> On 13th October 1601, soon after his father's death, George Seton got a Royal Confirmation of a charter disposing of the lands of Hays-toun and Scrogarfield to Patrick Gray of Invergowry.<sup>3.</sup>

This practically meant the alienation of most of the estate of Parbroath.

Nothing of public interest is connected with this individual; from an inscription on a seal, however, it appears he was knighted.<sup>4.</sup>

He married Jean Sinclair, daughter of Henry fifth Lord Sinclair, and had issue:

David styled "Captain David" in the Register of Fife Sasines of 1646, in which his death is referred to. In that year his widow Jean Kinnimonth, whose mother was Mariot Seton, applied for arrears of pay due to him. He fought in Ireland and England, presumably in the Army of the Covenant.

1. Scots Peerage III 313 as corrected by IX 73.

2. Reg. Mag. Sig. XLIII 111.

3. Reg. Mag. Sig. XLIII 190.

4. Catalogue of Ancient Scottish Seals 742.

He left a son David who was alive in 1665, and died without issue.

Mr George Seton says Sir George married secondly Isabel daughter of George Seton, third of Cariston. This is impossible, as on 2nd May 1618 Jean Sinclair, widow of Sir George, contracted to marry James son of John Melville, sixth of Raith.<sup>1</sup>

In 1608 George Seton was living with his family in Dysart, and in 1609 there was a charter of apprising of the lands of Parbroath for a debt of 1700 merks, at the instance of George Clephane of Carslogie.

This was the end of the property, and apparently also of the main line of Seton of Parbroath, though Mr George Seton refers to a surviving son, Robert, who is mythical.

George Seton's widow married James Melville.

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#### Arms of Parbroath

According to Nisbet<sup>2</sup> the arms of Alexander Seton second of Parbroath consisted of the paternal coat or, three crescents within a Royal tressure gules, with a single crescent in the centre for difference. In a later coat, in Collairuie Castle, the mark of difference is a mullet. The crest was probably a "wyvern".

1. Scots Peerage VI 104.

2. Nisbet: System of Heraldry 1. 236.

Seton of Lathrisk, Fife.origin from Seton of ParbroathSetons of Lathrisk

This family was derived from John Seton, third son of Sir Gilbert Seton of Parbroath and Marion Pitcairn (temp James III and IV). He married the daughter and heiress of Lathrisk of that ilk, and had with her Wester and part of Easter Lathrisk. The family of Lathrisk had been settled there as far back as 1296, when one William signed the Ragman Roll.

These Setons died out soon after 1746.

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1. John Seton of Lathrisk

He married Janet, daughter of Lathrisk of that ilk, and had with her the barony of Wester Lathrisk.

They had two sons:

1. John who succeeded.
2. David of whom nothing is known.

2. John Seton of Lathrisk

ob. after 1551.

On 11th April 1495 his mother resigned to him and he had a regrant of Wester Lathrisk and part of Easter Lathrisk.<sup>1</sup>

He married Janet Auchmouty and had issue:

1. John who succeeded.
2. Christopher is referred to in Letters of Legitimation of his natural son Alexander on 15th Jan. 1555/6,<sup>2</sup> and in the purchase of Torsoppy

1. Reg. Mag. Sig. XIII. 151.

2. Reg. Mag. Sig. XXXII. 269.

on the Tay on 30th April 1556<sup>1</sup> and Forgandenny in Perthshire.

3. Gilbert was presented to the vicarage of Strathmiglo on 17th July 1551.<sup>2</sup>

4. Elizabeth married James Spens of Lathallan.

5. Janet married about 1550 Bernard Oliphant.

6. Margaret married Robert Hunter of Newton Rires. There is a record in the Register of the Scots College of Douai of a Gilbert Seton who was dismissed from the College on 6th June 1620 for insolence. He may have been a son of one of the above Setons. He may also have been the Gilbert Cetoun who was taken prisoner at Callo on 15th March 1639 when serving in Col. Balfour's Scots Regiment.<sup>3</sup>

### 3. John Seton of Lathrisk

ob. 1575 ?

His father resigned his estates to him on 7th May 1551.<sup>4</sup>

He married Alisone Bonar of Rossie Fife and had issue:

1. James was in 1565 declared rebel, along with several other Setons for an assault on Francis Douglas of Borg. He predeceased his father. His wife may have been Isabel Balfour, widow of John Seton of Cariston who died before 20th July 1573. He may have left a son John.

2. George was in 1575 spoken of as "younger of Lathrisk", but he too predeceased his father.

3. Christopher.

4. Andrew may be the individual mentioned in a Swedish pay list of 1564 for services in the

1. Reg. Mag. Sig. XXXII 294, 296.

2. Reg. Privy Seal XXIV 82.

3. Hist. MSS. Comm App to 5th Report 654 (Maxwell Witham papers).

4. Reg. Mag. Sig. XXX 679, 738.



army in Lirland.<sup>1</sup>.

5. "Captain Patrick" served in the French Gensd'armes Écossais - was probably the Captain Seton who John Leslie, writing to Lord Edward Stuart on 7th June 1585, said was serving with him in Ghent.<sup>2</sup> He may also have been the Colonel Seton who commanded a Scottish contingent near Ghent in the summer of 1582, when the Prince of Parma was besieging Oudenarde.<sup>3</sup> He died in the house of Alexander Seton, Lord Fyvie on 16th Feb. 1600, and left 900 merks. He bought the ecclesiastical lands of Strathmiglo from his uncle George Seton.

#### 4. John Seton of Lathrisk

ob. 1643.

He was probably grandson of the preceding John. On 8th July 1601 he was retoured heir to his uncle Patrick in the "vicaria" of Strathmiglo.

He married Margaret daughter of Thomas Ross of Craigie and had issue:

1. Patrick who succeeded.

2. Alexander was Captain in a body of troops raised for the war in Germany where he was killed. John Seton died at an advanced age in 1643.

#### 5. Patrick Seton of Lathrisk

ob. 1665

In or about 1599 he married Barbara Arnot, and had issue:

John "fiar of Lathrisk" who died in 1650,

1. Fischer: Scots in Sweden 49.

2. Hist. MSS. Comm<sup>n</sup>. III 99 (Hatfield MSS).

3. Scots Brigades in Holland (Sco. Hist. Soc<sup>y</sup>) 1. 22, 24.

having married Grissell, daughter of Sir Michael Balfour of Denmiln, and leaving several children, of whom John succeeded.  
Patrick died 14th October 1665.<sup>1</sup>

#### 6. John Seton of Lathrisk.

On 18th June 1669 he had a charter of the lands of Wester and Easter Lathrisk, incorporated into a single barony in favour of himself and his wife Agnes Beatoun.<sup>2</sup>

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From this point it is difficult to determine the succession and relationships of the members of the family. They will therefore be treated individually.

John Seton may have been son of the preceding John. He joined the Royal Army at Dunfermline in 1715, and was nearly captured by a party of Argyle's force under Colonel Cathcart. He died about 1720.

Patrick Seton was also out in the '15 and was forfeited.<sup>3</sup>

Christopher Seton probably son of one of the two preceding. As the Lathrisk estates had been forfeited he became a merchant in Methil, Fife. He came out in the '45, with his son Alexander, and was employed in collecting funds for the Prince.

William Seton non-juring Minister of Forfar, was imprisoned in Montrose on 19th May 1746 for "preaching a rebellious sermon". He was released in August.

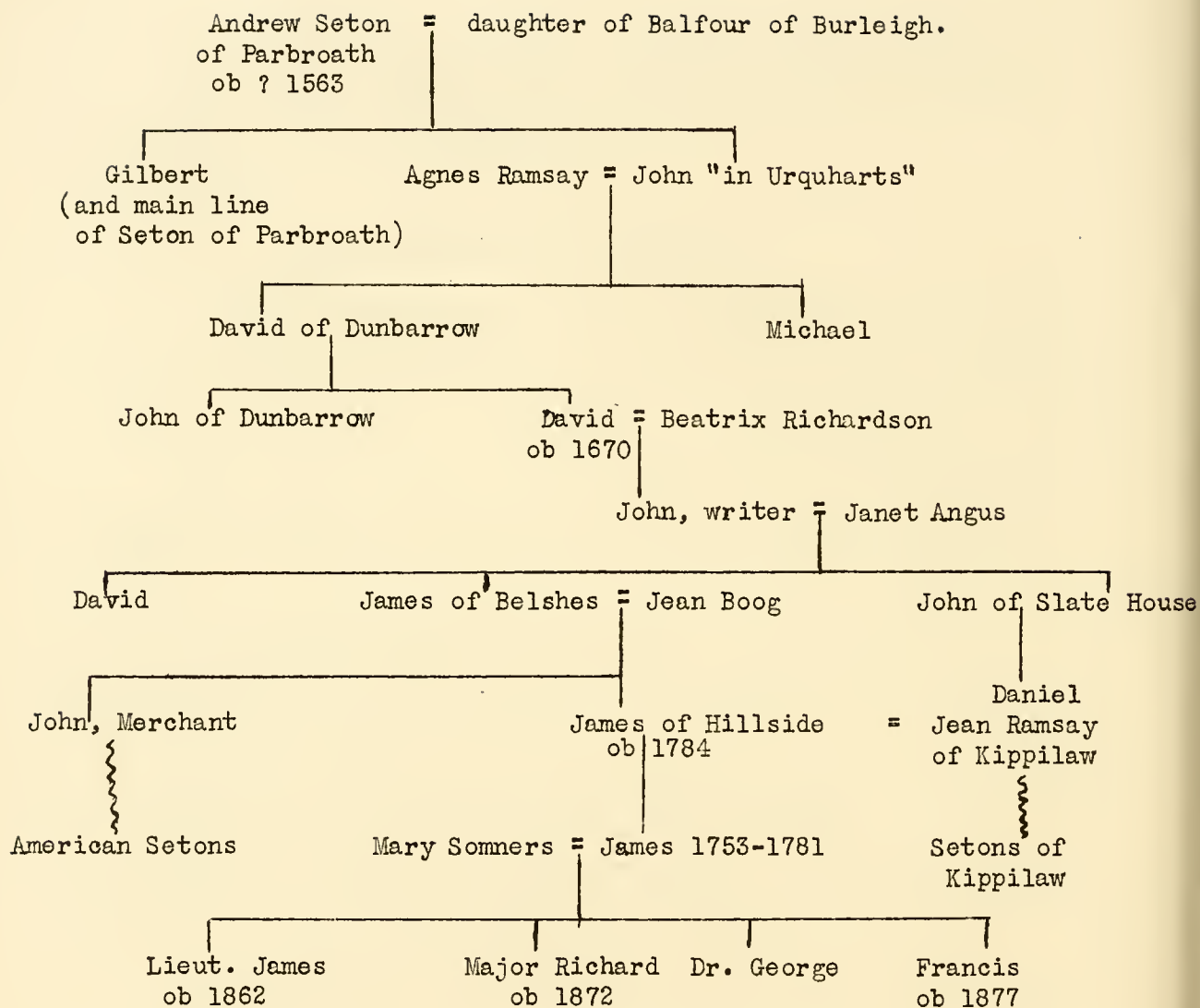
Alexander Seton son of Christopher. Described as "paymaster general to the Rebels" and as "Collector

1. Lamont: Diary 182.

2. Reg. Mag. Sig. LXII 90.

3. Forfeited Estates Papers (Sco. Hist. Soc ) XXIII.







"of Excise" under the Earl of Kellie. After Culloden he hid in Atholl and ultimately got abroad. He was apparently the last of the family.

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Arms of Lathrisk.

According to Nisbet they were the same as those of Seton of Parbroath, but with a boar's head in the centre for difference.

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SETONS OF KIPPILAW.

origin from Seton of Parbroath.

Setons of Kippilaw.

It is necessary to go back to the Andrew Seton of Parbroath, who died about 1563, having married a daughter of Balfour of Burleigh.

From his eldest son David, who was killed at Pinkie in 1547, continued the main line of Parbroath.

His second son John Seton "in Urquharts" married Agnes Ramsay and had issue.

1. David of Dunbarrow.
2. Michael "in Nether Urquharts".

From this David ultimately sprang:

- a. The American Parbroath Setons.
- b. The Setons of Kippilaw.

The descent of these will now be dealt with.

1. David Seton of Dunbarrow.

David acquired the lands of Dunbarrow in Fife from the Earl of Rothes. The name of his wife is not known but he appears to have had two sons:

1. John of Dunbarrow who succeeded him.
2. David of whom below.

The date of David of Dunbarrow's death is uncertain, but must have been after 1626 when he acquired that property.

## 2. David Seton ? 1626 - 1670.

In the Edinburgh Register of Apprentices he is styled son of the deceased David Seton of Dunbarrow. He was a merchant in Edinburgh. In 1647 he became a Burgess of Burntisland and a Bailie in 1656; in 1661 he was made a Burgess of Edinburgh, and from 1665 to the date of his death in July 1670 was a member of the Scots Parliament. He was also Commissioner of Excise in Fife. Lamont, in his Diary, noting his death in 1670 styles him "Baylie Seatoun in Bruntelland".<sup>1</sup>

In 1648 he married Beatrix Richardson and had issue:

1. John who succeeded him.
2. David Stewart - Clerk of Fife, who was alive in 1715, and left at least three sons.
3. Captain Michael, Bailie of Burntisland, who died in 1691. In 1680 he was witness in a case in which Captain John Niven was charged with uttering slanderous speeches against James Duke of Albany (afterwards James II). The prisoner was hanged.<sup>2</sup>

## 3. John Seton.

This John was a Writer and held the appointment of Notary Public and Town Clerk of Burntisland from

1. Lamont: Diary 220.
2. Arnot: Criminal Trials (Ed. 1812) 144.

David of Dunbarrow

John of Dunbarrow

David Seton = Beatrix Richardson

John Seton = Janet Angus

David  
ob. vita patris.

James of Belshes  
= Jean Boog

John of Slate House  
1689-1741

Seton of Kippilaw  
ob 1784.

John, 1717

James of Hillside  
= Agnes Grant

great great grandfather  
of Archbishop Seton

great great grandfather  
of Col. Robert Seton Marshall.





1683 to 1712. He was also Burgess of Edinburgh.

Before 1686 he married Janet Angus and had issue:

1. David who predeceased his father.
  2. James of Belsis or Belshes.
  3. John "of the Slate House".
- 

The two younger sons must now be considered as from them spring respectively the American Setons and the Setons of Kippilaw.

#### James Seton of Belsis or Belshes.

James was an Edinburgh merchant, and was made a Burgess in 1710 and a member of the Merchant's Company in 1714. He appears to have been successful in business, and, between 1715 and 1721, he bought the lands of Belsis or Belshes and Belsislands in Haddingtonshire from George and Richard Lothian.

In 1731 he became a Bailie of Edinburgh and served as such for three years.

In 1716 he married Jean, daughter of Thomas Boog, brewer, and besides numerous daughters had two sons:

1. John born 1717, merchant in London. He was apparently out in the '45, was taken prisoner and kept in the Edinburgh Tolbooth for nine months. His property was confiscated, and he was allowed to go to America.

From him come the American Setons.

2. James "of Hillside", a successful Edinburgh banker, in the firm of Seton, Houston & Co.; also for many years director of the Bank of Scotland. He married Agnes, daughter of James Grant, Merchant, and had two sons:

1. James born 1753 who succeeded.
2. Grant born 1756 died unmarried.
3. Margaret born 1758 married George Veitch. Among her descendants still living is Colonel Robert Seton Marshall, late of the

Colonial Service, great great grandson of James Seton of Hillside.

James died in 1784.

James Seton 1753 - 1851.

He lived chiefly at North Berwick. By his wife Mary Somners he had four sons all of whom died unmarried or without issue:

1. Lieut. James Grant R.N. 1795-1862.
2. Major Richard Somners - Madras Horse Artillery, retired in 1838 and died 1872.
3. George Somners, doctor, died in India.
4. Frances Charteris, Royal Bank, died 1877.

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The main line derived from James Seton of Belshes thus failed in 1877, and the representation devolved on the descendants of John Seton "of the Slate House", younger brother of Belshes.

John Seton "of the Slate House"

1689 - 1741.

This John was third son of John Seton, Town Clerk of Burntisland. By profession he was a barber and wigmaker, and he was admitted a Burgess of Edinburgh in 1710. His designation was derived from a small property in Bute.

In 1714 he married Helen, daughter of Dougal Gilchrist in Rothesay and by her had a son Daniel born in 1719. This Daniel was the first of the family of Seton of Kippilaw.

The Estate of Kippilaw.

In 1343 David II granted the estate to the monks

of Kelso Monastery, who handed over the temporal jurisdiction to the Kers of Cessford. After the Reformation the Abbot in 1565 granted sasine of the lands to the Kers of Yair, and from that family it was acquired in 1657 by Colonel Andrew Ker or Karr, who died in 1697.

His grandson John changed his surname to Karr, and just before his death in 1746, entailed the estate on his brothers David and Andrew, and after their death without issue, on his sister Katherine and her issue.

Katherine married Gilbert Ramsay, and their daughter and heiress Jean Ramsay, born in 1720, married in 1740 Daniel Seton of Powderhall, Edinburgh.

# 1. Daniel Seton of Powderhall.

1719 - 1782.

Daniel Seton was a lace merchant in Edinburgh. He amassed a considerable fortune and acquired the small property of Powderhall. His name appears as a creditor of Lord Lovat to the extent of £192 for goods supplied to him in the years 1741/45.<sup>1</sup>

About 1740 he married Jean, daughter of Gilbert Ramsay and Katherine Ker or Karr, heiress presumptive of Kippilaw on the death of her brother.

By her he had twelve children, among whom were:

1. John who succeeded.

2. Daniel. East India Company's Service, who became Lieut. Governor of Surat, and died there in 1803. His eldest son Andrew ultimately succeeded to Kippilaw.

On his first wife's death Daniel Seton married Rebecca Megget and, by her, had seven more children. He died in 1782.

# 2. John Seton-Karr of Kippilaw 1741 - 1815.

In 1799, on the death of his mother's brother Andrew Ramsay Karr, Governor of Bombay, the succession to

the estate of Kippilaw opened to John Seton, who, by Royal License, assumed the additional surname and arms of Karr. During his possession of the estate he made considerable additions to the house and improved the property.

He died without issue in 1815.

### 3. Andrew Seton-Karr of Kippilaw.

- 1833.

Andrew Seton was in the East India Company's Service in Bengal. In 1815 he succeeded his uncle and then obtained for himself and his descendants the Royal Licence to assume the double surname.

In 1812 he married Alicia, daughter of William Rawlinson Esq. and by her had three sons and three daughters:

1. John, who succeeded.

2. George Berkeley 1818-1862. Entered the Civil Service in Bombay in 1837, and greatly distinguished himself at Belgaum during the Indian Mutiny. He was also Resident at Baroda.

In 1848 he married Eleanor, daughter of Henry Osborne and had issue.

(1) Andrew died young.

(2) Henry who ultimately succeeded to Kippilaw.

(3) Heywood Walter 1859. Lieutenant, Gordon Highlanders. A great traveller and explorer, and author of books on sport.

3. Walter Scott 1822 - 1910. Entered the Bengal Civil Service and held many judicial and political appointments. He wrote an account of the Mutiny and a Life of Lord Cornwallis. In 1856 he married Eleanor, daughter of the Hon. and Rev. Henry Cockayne Cust, and died in 1910, leaving two sons, both of whom reverted to the old patronymic of Seton.

a. Robert George M.A. 1860. Barrister at



Law, Inner Temple. Is now Recorder of Devizes.  
In 1899 he married Janet, daughter of Sir Mark  
Mactaggart Stewart Bt. of Southwick and has issue:

- (a) Robert Walter Scott. 10th Oct. 1900.
- (b) John Archibald 24th Sept. 1906.
- (c) William George Stewart 31st Aug. 1909.
- (d) Eleanor Katherine

b. Walter John 1864-1912. Barrister at  
Law. Served in the South African War as Captain,  
E. Surrey Regt.

4. Rev. John Seton-Karr of Kippilaw  
1813-1884.

Vicar of Berkeley, Gloucester. He married Anna,  
daughter of Archibald Douglas of Glenfinnart, and died  
without issue in 1884.

5. Sir Henry Seton-Karr of Kippilaw Kt.  
C.M.G. 1853-1914.

Henry, second son of George Berkeley succeeded to  
the estate on his uncle John's death in 1884. Was  
M.P. for St. Helens. On 29th May 1914 he was drowned  
in the loss of the Empress of India.

By his first wife Edith, daughter of William Pil-  
kinton he had two sons:

- 1. George Bernard 1881 ob. 1896.
- 2. Henry Malcolm 1882.

By his second wife, Jane, daughter of William  
Thorburn Esq. he had issue:

- 1. Helen Mary 1888.
- 2. Kenneth William 1897.

6. Henry Malcolm Seton-Karr of Kippilaw. 1882.

Served in the 1st Life Guards during the Great War.

Arms of Seton-Karr of Kippilaw.

Quarterly 1st and 4th, gules, on a chevron argent three mullets of the first, in base a stag's head erased of the second.- Karr. 2nd and 3rd, or, an eagle displayed sable, charged on the breast with an antique crown, between three crescents azure within a double tressure gules. Seton.

Crests. Karr Out of an antique crown a dexter hand erect holding a dagger, all proper. "Avant sans peur".

Seton On a ducal coronet or, a wyvern proper. "Hazard zet Fordward".

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Chapter VISETON OF CARISTON. Fife.origin. from George 4th Lord Seton.The Setons of Caraldstone or Cariston.

This branch of the family derived from John, second son of George fourth Lord Seton.

The estates, lying in the parishes of Kettle (formerly called Lathrisk), Kennoway and Markinch, extended to about 900 acres, and came to John Seton through his marriage to the heiress of the Balfours of Cariston.

Although they took no very prominent part in the affairs of the country during the 16th century, they suffered for their views in the following ones; and the estates passed finally out of their possession in 1774. Besides Cariston itself these estates included Ballinkirk, Rumeldrie, and Kennoway.

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1. John Seton of Cariston.

circa 1532-1573.

John Seton was second son of George fourth Lord Seton and Elizabeth Hay, daughter of John third Lord Yester; he was therefore brother of "the Queen's" Lord Seton.

According to Maitland, his grandmother Janet Hepburn, Lady Seton, not only obtained for him "the Ladie "of Caristoun" as a wife, but gave him the lands of Foulstruther in East Lothian.

In the Douglas Baronage a remarkable statement appears regarding him. It is alleged that while his brother George, who had succeeded in 1549, was abroad, there came a report that he was dead; whereupon John was put in possession of the whole estate, assumed the title of Lord Seton, and sat as a peer in Parliament;

when his brother returned, however, he was dispossessed, and was put to great expense, so that he had to dispose of his Lothian estate and part of his wife's Fife estate.

The authority for this is stated to be a charter under the Great Seal.

The statement is accepted without question by Mr George Seton in "The Family of Seton" and other writers; but a reference to the charter does not bear it out.<sup>1</sup> That charter is one dated Stirling 18th May 1545 in which the Queen Regent confirmed a charter of George fourth Lord Seton, conceding to his second son John, - then a boy of thirteen years of age - the lands, manor house and mill of Winton or Wountoun, in the barony of Seton.

On 9th April 1553 he and his wife Isabella Balfour had a joint charter of the lands of the barony of "Carraldstoun", which she had resigned on her marriage,<sup>2</sup> and on 20th July 1558 he had a gift of the lands of Rumeldrie, in right of his wife.<sup>3</sup> These lands were held of the Crown "in ward and relief".

In 1553 John Seton married Isabella, niece and heiress of David Balfour of Carraldstoun, who was killed at Flodden.

They had issue:

1. George who succeeded.

2. John who went to France and joined the Scots Guards, and became a Lieutenant. In a letter among the Hamilton papers is one signed J. Seton, 3rd Nov. 1634

"Since their is no cair taking to restablis it  
"(i.e. the Guard) I sal tak my tym, and salbe not  
"sorry to be the last Scotis Lieutenant".<sup>4</sup>

1. Reg. Mag. Sig. XXIX 230; Reg. Privy Seal XIX 13.

2. Reg. Mag. Sig. XXXI 172.

3. Reg. Privy Seal XXIX 43.

4. Forbes Leith: Scots Guards in France II 225.;

Hist. MSS. Comm<sup>n</sup>. Hamilton MSS. II pt. 6. p.91.



It is doubtful, however, whether this was he or one of the other branches of the family whose names periodically appear in the rolls of the French Scottish guard. He is said to have married a daughter of the Count of Bourbon, and may have been an ancestor of "Jean, Seigneur Seton de "Cariston et de Coulommiers en Brie" whose marriage certificate and testament are in the French National Archives, dated 15th May 1661. He also had a daughter who married Adinston of that ilk, and became ancestress of the fourth Countess of Winton.

3. James had to leave Scotland, "being at "the horn for slaughter of David Sibbit"<sup>1</sup> in 1586. He went to France and married there. He may be the Captain James who was "lying in garrison at "Utrecht in 1618 in the regiment of Colonel Borg."

4. Geillis died unmarried 1601.

5. Elsbeth married a Swinton and had two daughters.

6. Margaret.

7. Janet.

John Seton died before 20th July 1573. His widow married again, her second husband being "James Seton in "Rameldrie in the parish of Lathrisk" whom she nominated as her only executor in her Testament dated 18th March 1579. In this document she is styled "Isobell Balfoure, "Lady Carrelstoun". Who James Seton was is not certain, but possibly he was the son of John Seton of Lathrisk who died in 1575.

1. Reg. Privy Seal LIV. 56.

2. George Seton of Cariston

? 1554-1620

The first reference to him is in a Letter of Gift dated 20th July 1573 to Margaret Seton, daughter of his uncle George fifth Lord Seton, of the marriage of George Seton, or failing him, of any other heirs of Isobell Balfour's estates which she and her husband held of the Crown.<sup>1</sup>

In December 1584 he had a gift of the escheat of all goods belonging to George Lord Seton and Robert Master of Seton who were being pursued for debt; and in February 1584/5 he also had an escheat of the goods of Lord Seton's son Sir John Seton of Barns for nonpayment of £80 taxation.<sup>2</sup>

His name also appears occasionally in other charters of no great interest, until 1607 when Letters of Horning were issued against him as principal and the Earl of Dunfermline, Sir John Wemyss and Andrew Aytoun as sureties for non payment of a debt of £700.

George Seton married Margaret, daughter of Sir John Aytoun of that ilk and besides daughters had four sons:

1. George who succeeded.

2. Alexander. This may have been the Captain Seton who on 30th July 1622 was reported to the King of Sweden as lying wounded in camp at Mitau, and as having had no pay for a year.<sup>3</sup> Also he may have been the distinguished Lieut. Col. Alexander or Sanders Seton who served in "the "worthy Scots Regiment called Mackeyes" which in 1626 was raised for Holland and fought for the Swedish Crown. He is said to have married the daughter of a Swedish naval officer who blew up

1. Reg. Privy Seal XLI 94.

2. Reg. Privy Seal LI. 166; LII 8.

3. Fischer: Scots in Sweden 87, 178.

his ship in an action at Danzig, to escape capture.

3. Andrew.

4. Christopher. Probably he was the "Crystoffe Seton" who was serving in the Scots Brigade in Holland in November 1608.<sup>1</sup>

George Seton died in 1620 when his son was retoured heir male to him.<sup>2</sup>

### 3. George Seton of Cariston.

- 1638.

Very little is known of him. His kinsman Robert, Earl of Winton, left his father 1000 merks "to be laid for profeit upon land or annual rents", for the benefit of this George Seton of Cariston.<sup>3</sup>

At the funeral of Alexander Seton Earl of Dunfermline in 1622 he carried the arms of the Earl of Winton.

In 1620 he married Cecilia, daughter of David Kininmund of that ilk and of Craighall, Fife.<sup>4</sup>

They had issue:

1. George who succeeded.

2. David got into serious trouble in connexion with some encounters with Cromwell's troops, which forced him to leave the country. He settled in Yorkshire, and Douglas, writing in 1798, says his descendants were still there.

3. Alexander a magistrate in St. Andrews. He was twice married and left a large family.

4. Anne died unmarried.

5. Isabel married one of the Setons of Parbroath.

6. Cecilia married David Craigengelt.

George Seton died before October 1638 when his son was retoured heir male to him.<sup>5</sup>

1. Scots Brigade in Holland 217.

2. Special Retours Fife 308. 29 May 1620.

3. Seton: Family of Seton. Testaments II. 897.

4. Macfarlane: Genealogical Collection II. 548.

5. Special Retours, Fife. 10 October 1638.

4. George Seton of Cariston.

? 1621 - 1688.

As a boy he was brought up with Lord Seton, son of the third Earl of Winton. He was a close friend also of his kinsman Charles second Earl of Dunfermline, through whom he had an offer of a knighthood, which he declined. He must have been a man of considerable attainments as in 1673 he was on the leet for being a Lord of Session; Dunfermline's death however stopped his getting it. The Cariston family papers show that he managed the affairs of the Regality of Dunfermline, of which the Earls had the heritable bailliary.

Against his own inclinations George Seton found himself involved in the activities of the Fife Covenanters, and took part in the battle of Kilsyth in 1645, where Montrose won his brilliant victory over them. During the Cromwellian occupation he was wrongfully accused of being implicated with his brother David in the affair of the English troopers mentioned above, and his estate was sequestrated for some years.

Never a confirmed Covenanter this treatment metamorphosed his outlook and, in 1679, he and his son Christopher were serving against the Covenanters, with the Earl of Winton, and were present at the action of Bothwell Brig.

Cariston was a man of hasty temper, and Lauder of Fountainhall reports of him that, in 1674,

"falling at variance with another man he gave

"command to his servant to shoot him; who did so,

"and the man with much difficulty recovered". 1.

Again, in October 1680, two of his daughters raised a libel for aliment against him on the ground that he "had used them most barbarously". 2.

George Seton married in 1638 his kinswoman Margaret, daughter of Sir Thomas Seton of Olivestob (q.v.).

1. Lauder of Fountainhall: Historical Notes l. 89, 196.

2. ib ib l. 113.



fourth son of the first Earl of Winton, and by her had a large family:

1. George died young.
2. Christopher born 1647 succeeded his father.
3. Captain Alexander was an officer in Dal-yell's Horse at the battle of Rullion Green in the Pentland Hills; and it was from his house at Ken-noway that Archbishop Sharpe went on 2nd May 1679 to meet his death at Magus Muir. He married Isobell, daughter of Lindsay of Pitskauly.
4. David, born 1653, acquired the lands of Blackhall by marriage with one Mary Archibald, and by her had a large family, descendants of whom still exist. To this family probably belonged some of the Setons mentioned in Lamont's Diary, such as Thomas "Excyse man" and Captain Seaton who commanded a "caper" vessel.
5. John who was killed at Falkland in 1683 in a scuffle with some dragoons.<sup>1</sup>.
6. Mary married Bruning of Dunino.
7. Elizabeth.
8. Anne died young.

George Seton of Cariston died in 1688

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#### 5. Christopher Seton of Cariston.

1645-1718.

Christopher was a Royalist, and in 1679 he took part, with his father, in the action at Bothwell Brig, in the Lothian Militia under the command of the Earl of Winton. He also had some military experience as Lieutenant in a troop of horse raised by Colin, Earl of Balcarres, during the reign of James VII.

He was a personal friend of the Earl of Winton, and was one of his Commissioners for the management of the Winton estates during the Earl's frequent

1. Lauder of Fountainhall: Historical Notes 1. 454.

absences abroad.

Christopher married, firstly, on 29th October 1685, Elizabeth daughter of Patrick Lindsay of Woolmerston or Wormiston, Fife and had two sons:

1. George who succeeded.

2. Christopher born about 1689, a merchant, who married Elizabeth, daughter of John Adair, geographer for Scotland. His numerous descendants are shown in the annexed table (below).

Christopher Seton of Cariston married secondly, before July 1706, Helen, daughter of Watson of Athernie. By her he had three sons, who died young, and five daughters.

He died in 1718 aged seventy three.

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Descendants of Christopher, second son of Christopher Seton fifth of Cariston, and Elizabeth Adair.

1. Alexander, who was out in the '45. Later history unknown.

2. Robert 1722-1795 "bred to the sea". He married Margaret, daughter of Richard Cox in Dublin, and had four sons and two daughters. The two sons who survived were:

(a) Robert Eglinton, an officer in the army killed in the American War of Independence.

(b) William Carden 1775-1842. Colonel, C.B. commanded the 88th Regt. at Badajoz and Salamanca. On the death without issue of Major Christopher Seton in 1819 the representation of the family devolved upon him, and he was de jure 10th of Cariston.

He married first Margaret Hazlett, and, besides two daughters, left by her four sons:

(1) Miles Charles, 11th of Cariston, 1808-1877. Captain 85th Regt. married firstly Anne, daughter and heiress of Josias Cocke of Trekersby, in 1832 and had issue:

- (a) William Carden of Trekersby 12th of Cariston 1836-1909, married Amy, daughter of James Forsyth of Glengorm, Argyll, and had issue:
  - (1) Miles Charles 13th of Cariston, Major R.A.M.C. 1874-1919, was murdered in London by Col. Rutherford.
  - (2) James Nigel 1875-1929, 14th of Cariston, died in Canada 29-1-1929.
  - (3) Isobel Margaret
  - (4) Amy Magdalen
  - (5) Dorothea Eva
- (b) Miles Charles 1838 - Lt. Col 67th (Hampshire) Regt. had war service in China, Afghanistan, and Burma.

Miles Charles 11th of Cariston married secondly the Hon. Mary Ursula, daughter of William 2nd Viscount Sidmouth in 1841 and by her had eight sons and three daughters, including:

- (c) Henry Cariston Captain R.A., died s.p. 11th Sept. 1880.
- (d) Bertram William 1845., married in 1869 Isabella daughter of Dr. Nelson Cotter, son of Sir Laurence Cotter Bt. and had one son:
  - (1) Sir Malcolm Cotter Cariston K.C.B. 1872. Oriel College. Entered Civil Service in 1895. Now Deputy Secretary India Office. Married in 1901 Frances Evelyn daughter of Jonathan Bruce of Miltoun Castle, Charleville, Ireland. On the death of James Nigel in 1926 he became representative of the family as 15th of Cariston.
- (e) Leonard Miles Cariston 1847. Went to Australia and married Eleanor Wyndham, and has issue:
  - (1) Bertram Wyndham now resident in Canada, is

married and has a son. He will succeed Sir Malcolm in the representation of the family.

- (2) Leonard Cariston was Captain in Australian Artillery during the Great War, and got Military Cross & Bar.
- (3) Edmund was Lieut. in Australian Artillery.
- (f) Ronald Cariston 1853 married Augusta Christie, with issue:
  - (1) Hubert Addington Cariston
  - (2) Ronald Miles Cariston
  - (3) Charles Henry Cariston
  - (4) Archibald Eardley Cariston
- (g) Basil 1858, married first on 21st Oct. 1886 Helen Georgina daughter of Col. Logan Horne of Broomhouse and Edrom Berwick. She died 1915, and he married secondly in 1917 Evelyn daughter of Admiral Cordale R.N.
- (h) Winton Cariston 1862, married 20th Oct. 1906 Frances daughter of Thomas Goldie Dickson C.A.
- (i) Edith Mary married George Dickson, Sheriff Substitute Berwickshire and had issue:
  - (1) Walter Dickson advocate, married.
- (j) Eva married Col. George Ninian Logan Horne, 16th Regt. and has issue:
  - (1) George Robert Seton 1880-1908. King's Own Sco. Borderers.
  - (2) William Miles M.C. 112th N.I. Married Dorothy Goldie Scot and has a son.
  - (3) Margaret, married A. Cowan.
  - (4) Eva Katherine
  - (5) Helen Mary
  - (6) Edith
- (2) William Carden 1813. Major 41st Regt., married Anna Shaw Jones of Dollardstown, County Meath, and had issue:
  - (a) Henry Carden 1849.
  - (b) Robert Eglinton was in the Peninsular & Oriental Co. Service. Went to Australia and probably predeceased his father.



- (3) Robert Eglinton 1826 - Served in 93rd Highlanders, and later commanded 4th Battn. Dublin Fusiliers and became Hon. Colonel. He married Jane, daughter of Henry Garnett of Green Park, Co. Meath and had issue:
- (a) Winton 1854 Major Leinster Regt. He married in 1885 Ethelreda, daughter of Col. James Fitzgerald, Indian Staff Corps and had issue:
    - (1) Ethelreda Hermionie 1886-1913.
    - (2) Bruce Eglinton 1890-1916, served in the 53rd Sikhs in Mesopotamia in the Great War and was killed 13th Jan. 1916.
    - (3) Ierne 1891 married.
    - (4) Lena 1892 married.
    - (5) Brenda Garnett 1897.
  - (b) Augustus St. John 1856-1900, Captain 8th King's Regiment, served in Burma War in 1885 and died 1900. He married first Bessie, daughter of General Colin Troup and widow of Lieut. Tucker R.A. and had two daughters:
    - (1) Linda married W. Webb, Canadian Pacific Ry.
    - (2) Mary married Dr. G.F. Burnell, Truro. He married secondly Eva Cumings, who survived him.
  - (c) Carden Henry entered the Worcestershire Regt. through the ranks, became Lieut. Colonel, served in Gallipoli during the Great War and was wounded.
  - (d) Robert Eglinton Douglas died 1887 unmarried.
  - (e) Margaret died 1878.
  - (f) Florence Mary married ..... and has a son Claude.
  - (g) Linda married James Kennedy. She died in 1890 leaving a daughter.

It will be noted that in the above group of descendants of Christopher, born about 1689, second son of Christopher Seton 5th of Cariston (1645-1718) are to be

found practically all the Cariston Setons now surviving. This Christopher Seton 5th of Cariston also had a daughter Jean, who married George Seton 7th of Cariston, her cousin, and by him carried on the main line. (See George 7th of Cariston.)

#### 6. George Seton of Cariston.

1688-1760.

Practically nothing is known of him. It is possible he was the George Seton who visited Padua University in 1725 and signed the Register there.<sup>1</sup>

He married first Margaret, daughter of David Boswell of Balmuto, Fife and had issue:

##### 1. George who succeeded.

In 1722 he married secondly Margaret daughter of James Law of Brunton, Fife and had a large family, including

##### 2. Christopher died at sea off Guinea about 1744.

3. James 1730-1817. As a lad of fifteen he went out in the '45 and was wounded at Culloden and was taken prisoner. He was sent for trial to Carlisle. By the interest of John Earl of Crawford with Frederick Prince of Hesse he was released on account of his extreme youth, and went abroad. He then entered the Dutch Service, that refuge of younger sons, and took part in the Siege of Bergen in 1747.

In 1761 he secured a commission in the British Army, first in the 105th and later in the 54th Regiment, and retired in 1774. He died at Markinch, Fife in 1817. He married Anne, daughter of John Simson of Brunton, by whom he had a daughter Anne, who died young.

He spent part of his leisure in later years in compiling the article of the Setons of Cariston

1. Horatio Brown: List of English & Scots at Padua Univ  
1618-1765.

which appears in the Douglas Baronage of Scotland. 1.

4. John Captain of a West Indiaman. He settled in Dublin and married Lucinda, daughter of Capt. Causier of the Revenue Service; and by her had a son John and three daughters. George Seton died 9th June 1760.

7. George Seton of Cariston.

1714-1762

He succeeded his father in 1760 and only held the estate for two years.

He married his cousin Jean, daughter of Christopher Seton and Elizabeth Adair and had issue:

1. George who succeeded.

2. Major Christopher (9th of Cariston) born 1754. He served in the 54th Regiment, in which his uncle James was serving. He went through the American War, the Flanders campaign 1794/5, and in the West Indies against the French. In the latter he was severely wounded.

In 1792 he was tried by court martial, as paymaster of his regiment, along with two other officers, on a trumped up charge, and acquitted.

He retired as a major in 1800 and died unmarried. On his brother's death in 1797 he became representative of the family.

3. Margaret married Henry Seton, grandson of David Seton of Blackhall, fourth son of George 4th of Cariston. She and her descendants will be referred to below.

George Seton died on 2nd November 1762.

8. Captain George Seton of Cariston

1752-1797

The affairs of the family were now seriously embarrassed, and the Court of Session authorised James

1. Seton: Family of Seton II. 915.

Seton, uncle and tutor-in-law to young Cariston to dispose of part of the estate viz. Rumeldrie and Milton Hill.

In later years, in 1774, after he had attained his majority, he sold the remainder, and nothing remained of the inheritance.

In 1780 he entered the Army and served in the 50th Regt. and the 78th Highlanders, in India. His health broke down and he came home and settled down in 1793 at Rungallie near Cupar, where he died, unmarried, in 1797.

Descendants of Margaret daughter of George Seton 7th of Cariston.

Margaret Seton married Henry Seton, grandson of David Seton of Blackhall fourth son of George Seton 4th of Cariston, and had two sons:

1. David 1768-1826. He served as a ships carpenter at sea for some years, but, in 1797 obtained a Commission as Ensign in the 71st Regiment, and served later in the 40th. He exchanged into the West India Regiment and became Captain. He died without issue in September 1826.

2. George 1769-1825. Entered the East India Company's Navy and became a Commander. In 1806 he went to Penang but returned home in 1811 and settled in Perth.

He married in 1819 Margaret, daughter of James Hunter, Seaside, Perthshire, and had issue:

1. George, of whom below.

2. Elizabeth born 1820, married Edward Jackson, by whom she had four sons and four daughters.

3. Margaret born 1824, married John Buchanan-Hamilton of Leny. She had three sons and three daughters.



George Seton M.A.

1822-1908.

George Seton was born 25th June 1822 and became an Advocate in 1846. He is best known as an antiquary and as a family historian, and author of "The Law and Practice of Heraldry in Scotland" and the "History of the Family of Seton".

He married in 1849 Sarah, daughter of James Hunter of Thurston and by her had a son and three daughters:

1. George 1852-1929. Was for some years in business in Calcutta. He married in 1895 Amy, daughter of Charles Moore of Boston U.S.A. She died without issue in 1903. He died 24th Feb. 1929.

2. Elizabeth born 1850. Married William Watson of Ayton, Perthshire and had a son Robert William, born on 20th Aug. 1879, who has assumed the surname of Seton-Watson. He is an eminent authority on the problems of the Middle East, regarding which he is a prolific writer.

3. Margaret born 1854. Married Vivyan Wintle, and died in 1890.

4. Mary Stuart born 1856, married in 1896 Charles Bruce.

The Representation of the Family.

On the death of George Seton 8th of Cariston unmarried in 1797 there were no Cariston estates left; but the representation of the family undoubtedly devolved on his brother Major Christopher Seton, late 54th Regiment, who became 9th of Cariston. He died, without issue in 1819, and the question arose who succeeded him in the representation.

Major Christopher had a sister Margaret, who married Henry Seton, and had two sons Captain David (1768-1826) and Commander George (1769-1825).

Mr George Seton, author of "The Family of Seton" claimed that the representation devolved on Captain David, who died in 1826, and thereafter passed to himself.

This claim is the more remarkable as Mr. George Seton gives the details of a Procuratory of Resignation by Christopher Seton 5th of Cariston formally settling the succession.

By that instrument the estate passed to his son George and heirs male of his body; failing him to any other sons or heirs male of their bodies; and only on failure of these did the female line come in to the succession.

Mr. Seton completely ignores the very numerous descendants of Christopher, younger brother of George 6th of Cariston; and his claim may be totally rejected.

The correct position is that, on the death of Major Christopher Seton 9th of Cariston in 1819, the representation devolved on Colonel William Carden Seton C.B., who became 10th of Cariston. He died in 1842, and it passed to his eldest son Captain Miles Charles, late of 85th Regiment. He died in 1877, when the succession as "12th of Cariston" passed to his eldest son William Carden Seton of Trekersby. On his death in 1909 his eldest son Major Miles Charles Seton R.A.M.C. succeeded as 13th of Cariston; he was murdered in 1919, and his brother James Nigel Seton became head of the family. On his death in January 1929 the representation passed to his cousin Sir Malcolm Cotter Seton K.C.B. as 15th of Cariston; and, after him, it will devolve on the issue of Leonard Miles Cariston Seton, brother of Bertram William Seton.

The line of succession is shown in tabular form here. (Page 274A)

Christopher 5th of Cariston  
1645-1718

Christopher = Elizabeth Adair  
1689-1767

Robert = Margaret Cox  
1722-1795

Henry Seton  
great grandson  
of George 4th  
of Cariston.

Capt. George = Margaret Hunter  
1769-1825

George = George, M.A.  
(The historian)  
1822-1908

George  
1852-1929.  
ob. s.p.

Col. William Carden  
1775-1842  
10th of Cariston

1.  
Anne Cocke  
of Trekersby

2.  
Col. Miles Charles = Hon. Mary,  
1809-1877. dau. of Lord  
11th of Cariston. Sidmouth

Amy Forsyth = Capt. William Carden  
1836-1909  
12th of Cariston

Bertram William = Isabella  
Cotter.

Major Miles Charles  
1874-1919  
13th of Cariston

James Nigel  
1875-1929  
14th of Cariston

Sir Malcolm Cotter  
Cariston Seton K.C.B.  
15th of Cariston





Arms of the Family of Seton of Cariston.

This branch has always borne the old Seton coat, or, three crescents gules, within the double tressure. In the centre of the coat is, for difference, the Selch or Seal (often wrongly called an otter) sable, for Balfour.

The crest is the ancient family wyvern or dragon, vert, with wings elevated and spouting fire, and charged with a star argent - The motto is Hazard zet Fordward.

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Chapter VIISETON OF BARNS OR BARNESorigin. from George 5th Lord Seton.The Lands of Barns or Barnes.

On 26th March 1320 King Robert the Bruce bestowed "totam terram que vocatur lic Barnis juxta Haddington", on the eastern slope of the Garleton Hills on Sir Alexander de Seytoun, in recognition of the good service performed by him in Ireland and Scotland.<sup>1</sup> With this he granted to Sir Alexander a "coat of augmentation" viz. gules, a sword supporting an imperial crown to perpetuate 'the memory of his own and progenitors' worthy action for their King and country.<sup>2</sup>

On 10th April 1322 the King renewed the grant "in "free barony", the service for which was the supply of two bowmen to the army, and three "suits of court" at the King's court at Haddington.

On 13th May 1567 George fifth Lord Seton sold the lands of "Easter and Wester Barnis" to Lord Mark Ker, Commendator of Newbattle, to be held of him, blench, for one penny yearly; and this transaction was confirmed by Royal Charter 15th April 1569.

The estate must however have been retoured to Lord Seton, as on 10th May 1583 he granted it to his third son Sir John Seton.<sup>3</sup>

The ruins of what was at least a commencement of a castle of Barns still exist, and are known locally as "The Vaults".<sup>4</sup> It is doubtful if the work was ever completed.

The estate was sold in 1715 by George Seton of Barns.

1. Harleian MSS. 4693.
2. Nisbet: Heraldry (ed. 1804) 1.233; Mackenzie. Science of Heraldry.
3. Scots Peerage VIII. 588; Winton Chartulary fol. 20.
4. Historical Monuments Comm<sup>n</sup>. E. Lothian. XLIV and No. 71 p.46.

1. Sir John Seton of Barnes.

1553-1594.

John Seton was third son of George fifth Lord Seton, and his name frequently appears with that of his father during the time of the latter's visits abroad, after the flight of Queen Mary from Scotland.

According to Nisbet he was brought up at the Court of Spain;<sup>1</sup> and his nephew, Alexander Viscount Kingston, who carried on the family history in succession to Sir Richard Maitland, states that Philip II of Spain made him a Knight of San Sago, a Gentleman of the Bedchamber, and a "Caballero de la Boca", and gave him and his heirs a pension of 2000 crowns. Kingston also says:

"in memory whereof he, and his heirs, has a sword  
"in their coat of armes, being the badge of that  
"Order".

It is possible Nisbet's statement is correct; but the honours conferred on him by the King of Spain were probably not given until 1583 or later. The "sword in the coat of arms" is certainly not correctly explained by Kingston; it went, as stated above, with the barony of Barnes, which was conferred upon John by his father on 10th May 1583. It was a "coat of augmentation" granted by Bruce to Sir Alexander, defender of Berwick.

The earliest charter reference to John Seton is in a letter by Queen Mary, under the Privy Seal, dated Joinville 17th April 1561 ratifying certain yearly pensions to the three eldest sons of Lord Seton, "as is more fully contained in a gift thereof by the Queen Regent". John's pension was £340.<sup>2</sup>

Sir John is not heard of in Scotland until April 1573, when he made his formal submission to the King's

1. Nisbet: Essay on Armories (Ed. 1718) 131.

2. Reg. Privy Seal XXX 40.

authority, along with his father.<sup>1</sup>

In June of that year he, and Lord Seton and Robert Seton were charged before the Privy Council with taking away a "notorious thief, Raulph Swinnø, .. with "swordis, pistolettis, and knapskais (helmets)" from the custody of Alexander Hume of North Berwick. They were ordered to restore the person of the thief, or to pay for his theft.<sup>2</sup>

In the same year Lord Seton, and his sons Robert and Sir John, were excommunicated by the Reformed Church, which always looked on them with grave suspicion.<sup>3</sup>

In 1575 he visited the English Court,<sup>4</sup> apparently on his own account, and was well received, though the Earl of Leicester wrote to Walsingham on 8th March 1575 suggesting that one of Sir John's suite, Nasmyth by name, was trying to convey letters to Mary Queen of Scots. In 1577 he went back to Spain,<sup>5</sup> and the next that is heard of him was after his return, when in 1579 he, and his father and two brothers, were imprisoned in Brechin Castle and later in St. Andrews. They were released in June on giving a band "to becum obeydient "subjectis". This high handed treatment was characteristic of their enemy, the Regent Morton.

Popular as he was in the Spanish Court and with Philip II Sir John was equally successful with young James VI, who appointed him his Master of the Horse, and he took the oath of office on 9th May 1581.<sup>6</sup> On 10th April he was ordered to go as ambassador to England,<sup>7</sup> but was stopped at the Border by the English Warden who believed that he was a servant of the King

1. Calendar of State Papers. Scotland. Series 1. 372.

2. Reg. Privy Council II. 244.

3. Bellsheim: Catholic Church in Scotland III. 241.

4. Calendar of State Papers. Scotland. Series 1. 392.

5. Hatfield MSS. Part II. 165.

6. Reg. Privy Council III. 384.

7. Lauderdale Papers 23108 fol. 20; Warrender Papers 1. 129. 147.



of Spain and intended to communicate with the French and Spanish ambassadors in London - which may very well have been the case.

On 24th June 1583 Sir Henry Cobham wrote from Paris to Sir F. Walsingham:

"There is, in this town, Sir John Seton, "second son to the Lord of Seton, ready to take "his voyage to Spain. He has orders from the "Scotch King to inform King Philip that his subjects hold him prisoner, and to demand his counsel and aid".<sup>1</sup>.

He certainly appears to have been in Spain in 1583, and in 1586 he was nominated Scottish ambassador to that country.<sup>2</sup> His mission probably was to arrange for a marriage between the daughter of Philip II and James VI. It is believed also that he had instructions from the Catholic Lords to sound the Spanish Court on the suggested compulsion of James, by force of arms if necessary, to abjure the Protestant religion.

Kingston, in his history, referring to this time says:

"The said Sir John, in the heights of his favour "with King Philip of Spain, was commanded home by "King James the Sixth, unwilling to want so gallant "a subject out of his Court and service".

On his return from Spain he received many marks of Royal favour and was appointed on 3rd January 1586/87 First Master of the Royal Household for life,<sup>3</sup> an office which had been held by his father, and, long previously, in the reign of James I, by his ancestor

1. Hist. MSS. Comm. Hatfield XIII p.230.

2. Hatfield MSS. Part III 135; Spanish Papers 1580-1586, 282, 347.

3. Reg. Privy Seal LV.2.

John Seton. In the following year he became "Comptroller, great Customar and General Searcher of this Realme", with a salary of 500 merks.<sup>1</sup> And in February 1588 he succeeded his brother Alexander, Earl of Dunfermline, as an Extraordinary Lord of Session. It was in the latter capacity that he was sent, "to command Lord Huntley, upon payne of treasoun, to make his present repayre to the King; who denyed flatlie so to do".<sup>2</sup> Another office he held was Keeper of the Rolls.<sup>3</sup> In 1590 he is spoken of as "sometime Comptroller of the maills and dueties of Ettrick forest", and in 1593 as "Master of the Wardrobe".<sup>4</sup>

Kingston was no doubt right when he said:

"It was not doubted, if he had lived some time after the King's coming to the crown of England, he would have highly advanced him in honour and fortune; but he dyed before King James went from Scotland".

Like his father, Sir John suffered in his fortunes largely in consequence of his devotion to the interests of the captive Queen. Thus in December 1584, and again in 1585, he was put to the horn for small debts.

He died "in the strength of his age", as Kingston says, in May 1594.

The Protestant Church pursued him to the end. On the occasion of his funeral at Seton Church his brother the Earl of Winton

"asked the Presbyterie to cause one of their number teiche in Setoun on Sunday at ye burial - which request the Py decline, funeral sermons being forbidden by Act of Assemblie - And they besides warn the said Lord to desist from burying on the Sunday, under pain of incurring ye

1. Reg. Privy Council IV 216.
2. Bain: Calendar of Border Papers 1 - (1560) - 94.
3. Privy Seal Register LVII. 77.
4. Reg. Privy Council V. 92.

"censures of the Kirk". 1.

Nothing daunted by the threat the Earl had the funeral carried out on Sunday, and got Mr. Leggat, his "Scoll-maister", to officiate.

Sir John Seton married on 8th Sept. 1588 Anna, daughter of William seventh Lord Forbes, and had issue:

1. John his successor.

2. Another son who died young.

He also had a natural son Hannibal, referred to in the testament of Robert, Earl of Winton, as a beneficiary to the extent of £100.

Besides the family estate of Barnes, which he had from his father in May 1583, Sir John had only one small grant of land. The King, some time before November 1582, gave him the property of Hailyards, forfeited by James Earl of Morton "for crimes of lese majestie"; but, having been under age at the time of the gift, he had to revoke it on 14th November 1582.<sup>3</sup>

It cannot be said therefore that he took advantage of his opportunities in advancing his own financial position. After his death, indeed, a charter of his lands of Barnes was given to Alexander, at that time Lord Urquhart, his brother, because they were forfeit to the Crown through the original gift of them to Sir John never having had Royal sanction.<sup>4</sup>

1. Haddington Presbytery Records.

2. Register of Deeds XXXIII. 300.

3. Reg. Privy Council III. 528.

4. Reg. Mag. Sig. XL. 19 of 1 June 1594.

2. Sir John Seton of Barnes.

1589-1660 (?)

Sir John succeeded his father in 1594, but was not served heir to him until 3rd October 1615.<sup>1</sup> It is not clear whether this was because of the alienation of the estate after his father's death referred to above.

According to Kingston he was "gentleman of the "Privy Chamber" to Charles I, but, as far as is known, he took no prominent part in public affairs, nor is he often mentioned.

In 1627 he was detailed along with his cousin the Earl of Winton to report on suitable sites for the location of bonfires in Haddingtonshire, to give notice of invasion.<sup>2</sup>

In February 1630 he complained to the Privy Council that he had been fined £100 by a Justice Court for carrying arms and shooting

"ane litill foule callit the skttiwaikis (? Kitti-  
"wake)"

The Council called for an explanation of this unreasonable sentence and the Justice Court stated that Sir John's offence was that he refused to be sworn. The Council ordered them to delete their decree.<sup>3</sup>

During the fateful years from 1639 onwards Sir John was at Court in London, and frequently wrote to his kinsman the Earl of Eglinton about the increasing tension between King and Parliament.

Kingston says Sir John was imprisoned and fined "for being with the Marquess of Montrose". It is just possible that the person concerned was his grandson John. This is dealt with below.

It is not known when he was knighted, but as

1. Douglas 1: Peerage II. 645.

2. Reg. Privy Council 2nd Series II. 54.

3. Reg. Privy Council 2nd Series III. 469.



early as 1618 he was officially "Knight".

According to Lord Kingston

"He did acquire from Sir Robert Gordon of Lochinvar land in Ireland worth £500 sterling a year".

His testament was dated 20th February 1660, and presumably he died about that time.

Sir John married three times.

His first wife was Isabella, daughter of Gilbert Ogilvy of Powrie, who died in November 1617. By her he had issue:

1. Alexander settled in Ireland where he married. He predeceased his father, and had no issue.

By his second wife Lady Anne, daughter of John, sixth Lord Fleming, Sir John had no family. She died in July 1625, leaving her husband £6440.

He then married a daughter of Sir John Hume of North Berwick and had by her two sons and a daughter:

2. George, who succeeded.
3. Charles died in 1662.
4. Jean married in 1653 John Hay of Aberlady, with a tocher of 7000 merks. Her father appointed her his "only heir, executrix and universal legatrix of his goods and gear" to dispone, at her pleasure to any two of her children.

As stated above, Kingston says of this Sir John Seton that he was "imprisoned and fyned for being with "the Marquess of Montrose". The fact of a Sir John Seton having been concerned in the troubles between Charles I and the Scots Parliament is confirmed by Baillie, in his Letters;<sup>1</sup> he states that, when events were rapidly tending towards war in 1638, Sir John was asked if he would serve the King, and replied he would do so, but not against his own country, "where he had "his life".

1. Baillie: Letters 1-73.

Later, when Montrose took up arms for the King, a Sir John Seton of Barnes joined him, and, at the close of the campaign was imprisoned and fined 40,000 merks (£26,666) for the part he had taken.<sup>1</sup>

It is not possible to be certain whether this was the second Sir John Seton or his grandson the fourth Sir John.

### 3. George Seton of Barnes.

1619 -

Nothing is known about him, or the name of his wife. His testament appears to have been dated 1660, so that he probably died soon after his father.

He had a son John, who succeeded him.

### 4. Sir John Seton of Barnes.

? 1662

Records of this individual are defective. As shown above it may have been he who was out with Montrose. There is nothing to indicate why or when he was knighted, but he is styled "Sir John" when he married.

He married <sup>2</sup>Lady Margaret, daughter of Francis ninth Earl of Erroll, sister of Lady Anne Hay who married George third Earl of Winton.

By her he had one son

George, who succeeded.

Sir John is said to have died in March 1659, thus predeceasing his father and grandfather. This is obviously impossible, otherwise he could not have been styled "of Barnes". In his testament, however, which bore that date, he asked to be buried at Seton "in the place of my father's buriell without pomp or great schow thairat".

1. Army of the Covenant 1643 (Accts. of Sir Adam Hepburn, Treasurer).

2. Scots Peerage III. 577.

### 5. George Seton.

This George was served heir to his father on 16th July 1698,<sup>1</sup> and to his grandfather in 1704.

On the death abroad, without issue, on 26th December 1694, of James the attainted fourth Earl of Dunfermline, the representation of that family devolved upon the Setons of Barnes.

In 1705 Lord Teviot, who had obtained a grant of the forfeited estate, conveyed his rights therein to George Seton for £400, which sum was paid by the latter's brother in law Sir James Suttie of Balgowan.<sup>2</sup> This appears to have included the baronies of Fyvie and Urquhart, and also Dalgetie in Fife. The transaction was hotly contested in the Courts by the Countess of Dunfermline, and finally the tack of the estates was granted to one Captain Fall, who held it for many years. The trustees of George Seton drew the rents for payment of debts, and allowed the latter a small sum. The estate was finally sold in 1733, Fyvie going to the Earl of Aberdeen, and Urquhart to the Duke of Gordon.

George Seton, however, assumed and was frequently styled by, the title of "Earl of Dunfermline" in private life.

In 1715, on the outbreak of the Jacobite rising, he joined his kinsman George fifth Earl of Winton. It was he who, at Kelso, on 24th October 1715, publicly proclaimed James VIII; and on this occasion he used the title of Dunfermline. He was taken prisoner at Preston and sent to London, and in due course his estate was confiscated. He supplicated the King's Mercy, however, and was granted a pardon, under the Union Seal, on 20th February 1716, and set at liberty.<sup>3</sup>

1. General Retours 8002.

2. Stirling: Fyvie Castle 278.

3. Seton: Family of Seton II. 974.

Poverty was no doubt pressing on him and, in 1716, George Seton sold the estate of Barnes to Colonel Francis Charteris of Arncliffe, in Haddingtonshire.

In a Bond dated 29th June 1727 he styled himself "Late of Barnes, alias Lord Dunfermline". In 1732 he was living in Haddington, but the date of his death is not known.

George Seton married Anne, daughter of Sir George Suttie Bt. of Balgownie or Balgownie, Haddingtonshire, and had issue:

1. James who succeeded.
2. Anne married John Don of Edinburgh, by whom she had a son Sir George Don, subsequently Governor of Gibraltar.

#### 6. Colonel James Seton.

James Seton went into the army and served in the 32nd Foot. He was on service in Flanders, and, in the operations of the '45, served under Cumberland against the Jacobite Army.

In the ordinary course of events he rose to the rank of Lieutenant Colonel in 1762, when he was appointed Governor and Vice Admiral of St. Vincent, and held that office for eleven years.

In 1773 he presented a petition to the Crown<sup>1</sup> for the Earldom of Dunfermline, but it was apparently decided that he was barred by the forfeiture of the honours in 1690.

Col. Seton married on 29th July 1762 Susan, daughter of James Moray of Abercairney, Perthshire and had issue

1. James, who succeeded.
2. George, born 1765, married Clementina, daughter of Sir John Stewart of Grandtully Bt., who was widow of Alexander Moray of Abercairney. They had a son Alexander Moray who died s.p. in

1. Seton: Family of Seton II. 972-978.



the West Indies.

3. Susan died young.

4. Charlotte married first Col. Leith;  
secondly Capt. Evans.

The date of Col. Seton's death, which occurred in London, is not known.

*In Upper Harley Street, in his 75th year, James Seton Esq.  
gentleman's Magazine 18 June 1801.*

7. Lieut. Colonel James Seton "of Brook-  
heath" Hants. 1763-1831.

James Seton served in the Army and became Lieut. Colonel; he followed in his father's footsteps by becoming Governor of St. Vincent, when he commanded the local Regiment of Rangers throughout the Insurrection of 1795; by his activities on that occasion he saved the island from the efforts of the French and the insurgents.

In January 1824 he wrote to Viscount Melville petitioning for the conferment on him of the Earldom of Dunfermline as a reward for his own and his father's services, and pointing out that, failing certain named destinations, that Earldom went to 'heir's male whatsoever'. No answer seems to have been received.

James Seton married Margaret, daughter of Rev. John Findlater, and had issue:

1. James I born 1799 died 1809.

2. James Alexander, born 1816, Captain 11th Dragoons and died on 20th May 1845 as the result of a duel at Portsmouth fought with Lieut. Hawkey, Royal Marines.<sup>2</sup>.

There were also daughters, who left descendants.

On the death of James Seton in 1831 this branch of the family of Seton became extinct.

- |                   |                   |                   |            |
|-------------------|-------------------|-------------------|------------|
|                   | B                 | B                 |            |
| 1. Seton Charters | $\frac{2-1}{2-1}$ | $\frac{2-2}{2-2}$ | p. 60, 61. |
| 2. Seton Charters | $\frac{B}{3-1}$   |                   | p. 62.     |

Arms of the Setons of Barnes.

The arms of this branch originally were "Or, a "sword gules supporting an Imperial Crown proper, be-"twixt three crescents, within a Royal Tressure of the "second".

According to Nisbet and all modern authorities the cognisance was an honourable augmentation granted by Robert I in 1320 to Sir Alexander de Seton with the barony of Barnes.<sup>1</sup> Lord Kingston erroneously regarded it as the badge of the Order of St. Jago granted to the first Sir John Seton of Barnes.

The last representative of the family Col. James Seton recorded his arms in the Lyon Register in 1806 as follows:

Quarterly. 1st & 4th or a sword in pale proper between three crescents gules all within a Royal Tressure of the last; 2nd & 3rd argent on a fess gules three cinquefoils of the first - This was the Dunfermline coat.

Supporters	- two horses <u>argent</u> , maned and tailed <u>or</u>
Crest	- a Crescent <u>gules</u>
Motto	- Set On.

1. Stevenson: Heraldry in Scotland II. 266.

## Chapter VIII

### SETON EARLS OF DUNFERMLINE.

origin. from George 5th Lord Seton.

#### The Estates of the Earls of Dunfermline.

The Estates bestowed on Alexander Seton, first Earl of Dunfermline, or acquired by himself, were Pluscarden, Urquhart, Fyvie, Pinkie and Dalgety.

Pluscarden in Moray was founded by Alexander II in 1231 as a Priory of the Order known as "Vallis "Caulium", and its members became known as "Kail Glen" monks, a Scottish equivalent for the "Val de Choux" in Burgundy, in which the Mother House was situated.<sup>1</sup> In 1453 the number of its inmates had fallen to six, and Pope Nicholas V then decreed that they should accept the rule and habit of the Benedictines.

The Priory thus became a dependency of Dunfermline Abbey until the fall of the latter on 28th March 1560, when the Lords of the Congregation "past to Stirling, and, be the way, kest down the Abbey of Dunfermling".<sup>2</sup>

On 17th April 1561, in a letter of gift given at Joinville,<sup>3</sup> Queen Mary gave the temporality of the Priory of Pluscarden to George fifth Lord Seton "in "commendam", "pertaining to her by privilege of her "Crown . . . till an intrant to the said Priory shall "be entered thereto by the Queen". On 21st September 1565, at Dunfermline, the Queen "for good services rendered by George Lord Seytoun to their Majesties" bestowed it on Alexander Seton, afterwards Earl of Dunfermline, the fourth son of Lord Seton.<sup>4</sup>

1. Father Michael Barrett: Scottish Monasteries of old 53-55.

2. Pitcottie: Chronicles. (ed. 1814) 1-555.

3. Reg. Privy Seal LXX. 40.

4. Reg. Privy Seal XXXIII. 98.

The Records clearly disprove Lord Kingston's romantic explanation that the Queen "gave to him ane god-"bairne gift, the lands of Pluscalie (Pluscarden) in "Murray".

The lands of Pluscarden remained in the Earl of Dunfermline's hands until September 1595, when he sold them to Kenneth Mackenzie of Kintail for £40,000 Scots.

#### Urquhart.

The Priory of Urchard or Urquhart in Moray was founded by David I in 1125, as a Priory of Dunfermline. By the year 1453 the monks numbered only two, and, at the request of the Prior, it was then united with Pluscarden, and came into the possession of Alexander Seton with the latter in 1565.

On 28th January 1587 Alexander Seton had a charter of the lands and barony of Pluscarden, with Fochabers and Urquhart, creating them into one "whole and free "barony" called the Barony of Urquhart.<sup>1</sup> Later, on 6th April 1611, he had a Charter of Novodamus<sup>2</sup> of this and other properties incorporated in the Earldom of Dunfermline.

When the Earl sold Pluscarden in 1595 he retained Urquhart and the mansion house in Elgin, which had belonged formerly to the Bishops of Moray, and frequently lived there.

#### Fyvie

The barony of Fyvie or Formartin in Aberdeenshire was acquired by the family of Preston in or about 1395, and remained in their hands until the death in 1433 of Sir Henry Preston, leaving two daughters.<sup>3</sup> One of these daughters married Alexander Meldrum who, in 1438, is styled "Dominus de Fyvie". By 1593 the estate was

1. Reg. Privy Seal LXIII. 146.

2. Scots Peerage III. 371.

3. Stirling: Fyvie Castle 60-67.



heavily encumbered and "wadset", and, on 10th January 1596, with the consent of the mortgagees; it was bought by Alexander Seton - then Lord Urquhart - and his mother Lady Isobel Seton. On 5th July 1596 a Charter under the Great Seal<sup>1</sup> confirmed the arrangement and created the property into the Barony of Formartin, holding from the Crown for a silver penny "in name of "free blench". Two years later, on 4th March 1597/8, another Royal Charter<sup>2</sup> erected the barony into a Lordship, carrying the title and honour of a Lord of Parliament as Lord Fyvie. This title was thereafter assumed by Alexander Seton. On this place he lavished much care and money; in fact he was responsible for much of the existing fabric.

When the fourth Earl of Dunfermline was forfeited for high treason on 14th July 1690 Fyvie fell to the Crown.

#### Dalgety,

Fife was originally the site of a Culdee Cell, and has been reconstructed at various dates. In 1178 the Church of "Dalgathin" was confirmed to the Monastery of Inchcolm by Pope Alexander III, and was dedicated to St. Brigid.

It was acquired by Alexander Seton, then Lord Urquhart, in 1593 from one William Abernethie, who held it of Sir Alexander Fraser of Philorth. The affairs of the latter were very embarrassed by his expenditure on the new town of Fraserburgh,<sup>3</sup> and he resigned Dalgety into the hands of the Crown, and it was then granted anew to Alexander Seton Lord Fyvie by a charter of 27th April 1604.

The residence, now gone, stood quite near the Church and was much used by Alexander Seton. He extended and ornamented it, and also carried out alterations in the church. He erected two rooms at the East

1. Reg. Mag. Sig. XLI - 93.
2. Reg. Mag. Sig. XLI - 250.
3. Scots Peerage VII. 439.

End, one of which formed the "loft" or gallery; and he constructed for himself a vault in which he and many of his family are buried.

#### Pinkie.

This estate originally belonged to Dunfermline Abbey, and the Abbots were superiors of the Regality of Musselburgh in which it lies. After the Reformation that Regality came into the possession of the Crown and, by a charter dated 7th March 1593/4, was bestowed upon John Maitland first Lord Thirlestane. This Lord Thirlestane's son John - afterwards Earl of Lauderdale - married on 5th June 1610 Isobel Seton daughter of the Earl of Dunfermline, and the estate of Pinkie was then bestowed on her father. Kingston says Dunfermline

"acquired the lands of Pinkie, where he built ane  
"noble house, brave stone dykes about the garden  
"and orchard, with other commendable policies  
"about it"

and the inscription over the front shows that Dominus Alexander Setonius built the house in 1613.

The estate was purchased by the Tweeddale family shortly before the forfeiture in 1690 of the fourth Earl of Dunfermline. In 1788 it was acquired by the Hopes of Craighall.

#### Heritable Bailiary of Dunfermline.

This was a valuable office granted heritably to Alexander Seton, Lord Urquhart, by Queen Anne "Lady of "Dunfermline", with the King's consent on 15th February 1596. It comprised also the office of Constable or Keeper of the Palace; and the perquisites attaching to these offices must have been very valuable. The grant was confirmed to him and his heirs by Parliament in 1606.

The Regality of Dunfermline was originally created by David I and its jurisdiction conferred on the Abbot or his nominee. It reverted to the Crown, at the

Reformation. The Regality Court was often presided over personally by the Earl.

After the Court went to London the Earl frequently resided in the Palace, and, between 1594 and 1607, when the Western nave of the Abbey threatened to collapse the supervision of the repairs fell to him. A stone on the south wall bearing his arms commemorates his work.

On 3rd April 1611 he resigned and had a regrant of the office.

1. Alexander Seton, 1st Earl of Dunfermline.  
1555-1622.

One of the most remarkable men in the long list of distinguished members of the family was Alexander, fourth son of George fifth Lord Seton and Isabel Hamilton.

Unlike so many of his kinsmen, however, he was a man on whom Fortune consistently smiled, during a long life passed in surroundings liable to lead to sudden and irreparable disaster. It cannot perhaps be said that he pursued Lost Causes, temporal or spiritual, though, as regards the latter, he was always an object of the greatest suspicion to the Reformed Church. That Church regarded him, rightly no doubt, as a Catholic in disguise; and a learned Catholic writer, while not blaming him, admits that "his life was one of constant "dissimulation".<sup>1</sup>

A few years before his death he himself stated publicly that he had always kept loyal to his Faith and deeply regretted his remisness in its external observance. No other course was open to a man who lived to become Chancellor and de facto ruler of Scotland at a time when Catholics were subjected to the fiercest persecution.

A commanding intellect and his personal relations

1. Father Michael Barrett: Scottish Monasteries of Old. 204.

with the King assured for him a career very different to that of his blunt and irascible father, whose loyalty to his Queen was his undoing; and he lived to hold with great success the most important judicial and political appointments in the State.

Much of our knowledge of this remarkable man is due to the labours of the late George Seton, who wrote a Memoir of his life.<sup>1</sup>

Alexander Seton was probably born in 1555, and, according to Lord Kingston, Queen Mary

"give to him ane god bairne gift, the lands of Pluscalie in Murray".

This is not accurate, for the Benedictine Priory of Pluscarden had been granted to his father on 17th April 1561, as a temporary measure "till an intrant shall be entered thereto"; and, on 17th September 1565, when a Royal Letter of Gift bestowed it on Alexander, it was expressly stated that it was given for "thankfull and obedient services" rendered to their Majesties by his father George, Lord Seton.<sup>2</sup>

Lord Seton intended his son to go into the church, and, at an early age he was sent to the Jesuit College at Rome. Here he speedily made his mark as a classical scholar and was said to be "a great humorist in prose and poesy, Greek and Latin, and well versed in the mathematicks, and had great skill in architecture and herauldrie".

At what stage in his education he departed from his original purpose is not known; he was certainly presented to the Pope about the end of 1571,<sup>3</sup> so his intention to continue in a clerical career had probably not then been departed from. Spottiswoode says that he actually took Holy Orders, and Scotstarvet says that "his chalice, wherewith he said Mass at his home

1. Seton: Memoir of Chancellor Seton.

2. Reg. Privy Seal. XXXIII 98.

3. Cal. State Papers. Foreign. 1569/71 - 2166.



"coming, was sold in Edinburgh". Probably the development of the Reformed religion in Scotland led him to abandon a clerical career, and to turn instead to the law as a profession.

Alexander was as successful in his legal studies in Paris as he had been in his ecclesiastical ones in Rome. He returned to Scotland in 1577, aged twenty-two, and "made his public lesson of the law" before the King and the College of Justice in the Chapel Royal at Holyrood, and "was received as a lawer".

Immediately before his return from France an incident occurred which is a striking example of how, in those times, Religion was used as a cloak for bare faced robbery. The King was at that time only eleven years old, and the country was under the Regency of the Earl of Morton, who had a natural son James Douglas. On 6th February 1576/7 Morton induced the King, by a Charter under the Great Seal,<sup>1</sup> to grant to James Douglas the lands and dignities of the Priory of Pluscarden "which belonged to Alexander Seytoun, alleged Prior". The charter states as an explanation, if not an excuse, that the King's Advocate had informed the Lords of Council that Alexander

"had not submitted to the discipline of the church  
". . nor had he subscribed the articles of the  
"true and christian religion".

Morton was an old enemy of the Seton family, and the church authorities were, no doubt, glad to assist him in his personal schemes.

It was not until 1581 that Alexander succeeded in securing a decret of reduction of this grant and recovering his property. This restoration of Pluscarden to their rightful owner was one of the first results of Morton's downfall and execution.

The Reformed Church continued to look upon Alexander with suspicion, and this was not diminished when, as Calderwood reports, an English Jesuit priest was captured on 1st March 1583 carrying a letter from him to

1. Reg. Mag. Sig XXXIV 451.

the head of the Seminary in Rome. The General Assembly pressed the King and his Council for his prosecution, but no action appears to have been taken.

In November of that year he accompanied his father on an Embassy to Henry III of France, designed to secure a renewal of the old alliance and to secure assistance from that country. Lord Seton also intended to advocate the cause of the Queen. The embassy was a failure, but, although he started by entertaining lavishly he could not keep it up, and Stafford reported to Walsingham on 2nd May 1584, that his pomp was turned to penury, and that he had to pawn the guns on his ship to feed his men.

The first real mark of Royal favour which Alexander Seton enjoyed was his appointment, a few days after his father's death, on 27th January 1585/6, to be an Extraordinary Lord of Session under the style of "Prior of Pluscarden", in room of James Stewart, Lord Doune.

In 1587 the lands of the Priories of Pluscarden and Urquhart were erected in his favour, into a free barony of Urquhart.

On 16th February 1588, when thirty three years of age, he was appointed an ordinary Lord of Session, with the title of Lord Urquhart. At that time this was merely a judicial title, but on 3rd August 1591 he was, according to Crawford<sup>1</sup> advanced to the dignity of a "Lord of the realm", i.e., as more commonly expressed, a Lord of Parliament; and this was no doubt connected with a fresh grant of the Barony of Urquhart.<sup>2</sup> To his credit be it said he, unlike many other recipients of church lands, never dispossessed the small community of monks there. This barony included the house of the Bishops of Moray in Elgin.

The next step in his judicial career was his election on 29th May 1593, at the early age of thirty eight,

1. Crawford: Peerage of Scotland 511 - Macfarlane's Genealog. Collection (Sco. Hist Soc.) 393.

2. Reg. Privy Seal LXIII - 146.

to the position of Lord President of the Court of Session, an office which he held until 10th March 1604/5.

There is no doubt that his judicial colleagues had grave suspicions as to the religious beliefs of Alexander Seton, and, when he became an Ordinary Lord of Session in 1588, the Sederunt Book of the Court notes the fact that provision was made for

"his communicating at the Sacrement with the rest  
"of the brethren of the Sessioun at the prefixt  
"time".

The same charge of being a Catholic was repeatedly brought against him throughout his career; but he was too big a man, and, still more important, too much in the King's favour, to be seriously troubled by references to him as the "Romanist President" or as "a shaveling and a priest more meet to say Masse nor to beare office in a Christian and Reformed Commonwealth".

As Lord President, the seventh holder of that eminent office, Urquhart stood out among his predecessors, and, during his tenure, he passed many enactments for the improvement of the Court of Session, especially in regard to the appointment of Judges, and Court procedure generally.

In January 1596 Lord Urquhart, and his mother Lady Isobel Seton, acquired the embarrassed estate of Fyvie from the Meldrum family; and on 5th July 1596 he had a charter under the Great Seal erecting it into a free barony of Formartin.<sup>1</sup> Two years later another charter erected the barony into a Lordship, carrying the title and honour of a Lord of Parliament as Lord Fyvie.<sup>2</sup> From that time Alexander Seton ceased to be Lord Urquhart and was styled Lord Fyvie.

Before acquiring Fyvie he had sold Pluscarden for £40,000 Scots, a considerable sum for those days. His circumstances however were still further improved when

1. Reg. Mag. Sig. XLI 93.

2. Reg. Mag. Sig. XLI 250.

in February 1596 the Queen, as "Lady of Dunfermline", conferred upon him the Heritable Bailliary and Justiciary of the Lordship and Regality of Dunfermline, subsequently extended to include subjects on both sides of the Forth, and the Constablenesship of the Palace with the right of residence therein. These lucrative appointments were confirmed to him and his heirs for ever by Act of Parliament in 1606, after his elevation to an Earldom.

After the death of the Chancellor John Maitland Lord Thirlestane in October 1595 the King is reported to have said he would appoint none to succeed him but "such as he could correct or were hangable". He found it necessary however to call for help in dealing with the embarrassed finances of the country, and, with this object, he appointed eight Commissioners of the Exchequer, who came to be called "The Octarians" - of those the most prominent was Lord Fyvie.<sup>1</sup>

In spite of the Royal favours heaped on him, however, Fyvie was fearless in his criticisms of the Sovereign, when he felt it was necessary. In 1597, as Lord President, he told the King flatly that he refused to give judgment in favour of the Crown in a case in which he considered injustice was being threatened in depriving one Robert Bruce, a Minister, of his stipend. He added that

"every honest man on this Bench will either vote  
"according to conscience or resign".<sup>2</sup>

The King, who was present,

"flung out of Court, muttering revenge and raging  
"marvellously".

To the King's credit, however, be it said, he took no action. This was not an isolated instance.

In 1600 the King tried to induce the Estates to raise an army in support of his claim to the English Crown, and was supported by many of the nobility.

1. Reg. Privy Council v. 255.

2. Tytler: Hist. of Scotland IX - 290.



Fyvie bluntly stated it would be an act of folly, and succeeded in securing the rejection of the proposal, to the mortification of his Royal Master.

Lord Fyvie's position, as one of the Octarians, inevitably brought him in opposition to the Commissioners of the Kirk. In October 1596 they threatened to excommunicate him "for dealing in favours of the Erle "of Huntlie". It was, to a great extent, against him that the violence of the Edinburgh mob was directed on 17th December, and the Commissioners asked for his dismissal as "representative of the excommunicated Earls";<sup>1</sup> the King however threatened to remove the Court of Session from Edinburgh, and compelled the City to appoint Lord Fyvie Provost, a position which he held from 1598-1608.

Father Michael Barrett regards this election of Lord Fyvie to this post as a triumph of acute diplomacy on his part,<sup>2</sup> but it was almost certainly accomplished by the "force majeure" of the Crown.

When James VI left Scotland on 5th April 1603 to assume the Crown of England he left his second son Charles, Duke of Albany, in the charge of Lord Fyvie; the Privy Council at the same time formally noted that "the charge of the education of the Duke of Albany was "committed to Lord Fyvie".<sup>3</sup> Whether he lived with Lord Fyvie in Dunfermline or in Edinburgh is unknown.

In August 1604 his Royal Charge was sent for, and Lord Fyvie and his wife Grizel took him to England and handed him over. They spent several months at Court.

Early in 1604 Lord Fyvie was appointed Vice Chancellor of Scotland, and also one of the Commissioners for the Union, then projected by the King, between the two Kingdoms. In October 1604 the Commissioners went to England, and stayed there a considerable time, without effecting anything. The Earl of Montrose, who had

1. Calderwood: History of the Kirk v. 513.

2. Barrett: Sidelights on Scottish History 205.

3. Reg. Privy Council VI. 556.

succeeded Thirlstane as Chancellor, was then induced by the King to resign, and to accept the office of Chief Commissioner for Scotland;<sup>1</sup> and Lord Fyvie was appointed "Great Chancellor" in his place, at the end of the year.

The last Catholic to hold that important post, Lord Fyvie, was Chancellor of Scotland until his death in 1622.

He returned to Scotland in February 1605 and Calderwood says he came to Edinburgh

"convoyed with manie people of all ranks; no subject was seen before to come accompanied after the maner".

On March 5th 1605 Lord Fyvie was advanced to the dignity of Earl of Dunfermline, with remainder to heirs male.<sup>2</sup> His title was a Royal one, and, among the Fyvie Charters is one dated Whitehall 14th February 1604/5 from "Queen Anne of Scotland" stating that, seeing it had pleased the King to grant to Alexander, Lord Fyvie, the dignity of an Earl, she consents to his taking the title of the Earldom of Dunfermline, although the Lordship of that place is her own Lordship, given to her by the King "in morning gift". She gives this letter to testify that he assumed the said style "by our special direction, assent and command".

Various interesting references to him were made in State papers at this time. Thus on 22nd October 1603 Scaram Elli, the Venetian Secretary in England, wrote to the Doge:

"Seaton too, is thought to be a Catholic at heart, for he was maintained at the university of Rome by Pope Gregory XIII at a cost of 10 ducats a month, and took his doctors degree at Bologna".

Writing in September 1605 from Scotland to the General

1. Scots Peerage VI. 235, 236.

2. Reg. Mag Sig XLVI 374.

of the Society of Jesus,<sup>1</sup> Father James Seton said  
 "The Government is entirely in the hands of Lord  
 "Alexander Seton . . . He is a Catholic . . . He  
 "publicly professes the State Religion and goes  
 "occasionally to their heretical communion; he  
 "also subscribed to their Confession of Faith,  
 "without which he would not be able to retain the  
 "rank, office, and estates. Two or three times  
 "a year he comes to Catholic Confession, and com-  
 "municates with his mother, brother, sister and  
 "nephew, who are better Catholics than himself".

On a later occasion, in 1618, Connasus wrote that  
 the Chancellor, before a numerous assembly of Catholics  
 and Protestants, had affirmed that he had never ceased  
 to hold his beliefs, and

"declared that nothing gave him greater pain than  
 "to recollect how he had shown himself remiss in  
 "his profession of Faith in order to ingratiate  
 "himself with his Sovereign. When he had thus  
 "spoken he called the assembly to witness he would  
 "die in the profession of the Catholic Church".

These statements bear the stamp of accuracy, and, at  
 the same time explain how he reached and retained the  
 positions in the State which he occupied. But his  
 position must always have been an extremely delicate  
 one.

On 20th Sept. 1612 he had Letters Patent from the  
 King appointing him Commissioner at the forthcoming  
 Parliament which met in October.<sup>2</sup> This document is  
 in the possession of Sir Bruce Seton Bt.

The Parliament rescinded the Act of 1592 declaring  
 Presbyterianism to be the policy of Scotland, and rati-  
 fied the Acts of the General Assembly held in Glasgow  
 in June 1612 in favour of Episcopacy and the establish-  
 ment of Bishops nominated by the Crown. In carrying

1. Forbes Leith: Narratives of Scottish Catholics (1885) 278.

2. Seton Charters: D p. 53.

these measures through Parliament the Chancellor was the moving spirit.

As Chancellor he was responsible for the adoption of the system of having Justices of the Peace in every County;<sup>1</sup> and Spottiswoode says of him that

"he exercised his place with great moderation,  
"and to the contentment of all honest men, a good  
"justiciar, and human both to strangers and to  
"his own country people".

Nevertheless he was a stern and relentless maintainer of law and order, especially on the Border and the Highlands.

In his dealings with the Highlands, however, he showed a temperamental lack of understanding their point of view, which made him hated by the Highlanders. Thus, in one letter he refers to the "onpleasand, on-"  
"worthie and ongodlie naymes" of Highlanders, and, in 1603, writing to the King about the cruel suppression of the Macgregors he said:

"Gif all the great Highland clans war at the like  
"point I wald think it weel to this commonwealth,  
"and to your majestie's guid subjects here".<sup>2</sup>

He was certainly responsible for the policy detailed in the Privy Council records of 30th November 1613, under which the children of the Macgregors were parcelled out among their neighbours, practically as slaves.

During the years between 1603 and 1615 he was also responsible for certain dishonourable practices of his agent Graham, during the suppression of the rebellion of Clan Donald; and also for bringing about the surrender of Angus Oig Macdonald, who was holding Dunyveg in Isla against the orders of the Crown. Angus was tried and hanged on 8th July 1615.

On the Border, too, he must share the responsibility

D

1. Seton Charters: 1-3 p. 52.

2. Letters & State Papers James VI 47.



of the Earl of Dunbar in his policy of executing "Jeddart justice"; while with pirates he was very severe, and, in July 1610, told the King how twenty seven were hanged at Leith.

The Chancellor was frequently in London, at Court, and in 1608 was appointed a Member of the Privy Council; his long friendship with Sir Robert Cecil no doubt explains this unusual mark of favour.

In 1611 the King appointed him "Custodier" of Holyrood,<sup>1</sup> and there he frequently resided.

In private life Lord Dunfermline was almost universally popular. Like so many of his ancestors he was devoted to archery and the turf. The Burgh Records of Dunfermline dated 19th April 1610 note the fact that he had presented to the Burgh a "Sylver race bell" as a prize. Writing in 1621 to Sir Robert Kerr of Ancrum he said:

"I have been twayis or thrice this spring at  
"archerie, and the same bowis that served me 40  
"yeiris sence fittis me as weill now as ever, and  
"ar als far at my command".

One of his most prominent characteristics was his skill at architecture, in which he had every opportunity for exercising his tastes. Fyvie Castle was one of his great achievements, the extension of Pinkie House was another, and both bear witness to his taste. Busy man as he was, he was a most successful administrator of his own estates and amassed wealth.

As a scholar he lived up to his early promise; and left a large library of books, classical, philosophical, and scientific, in Latin, French and Italian, some of which are in the possession of the writer. His friend Lord Napier dedicated to him his great work on logarithms "Tabulation by Rods".

Lord Dunfermline died at Pinkie House on 16th June 1622, aged sixty seven, and in accordance with his expressed wish was buried in the minute church at

1. Hist. MSS Comm. App to 5th Ref. (Miss W.C. Gordon, Fyvie)  
p.644.

Dalgety in Fife. He worded this wish as follows:

"I wis to be in je littil ile biggit be my-  
 "self at the kirk of my house at Dagatie . . far  
 "alwayis from all pompe and gloriositie, quhilk  
 "all yat knowis me may know I never lykit".

His relatives and friends however insisted on a funeral ceremony of the greatest possible pomp. The details of this are contained in a document now in the Lyon Office, but have been printed at length in Mr. George Seton's "Memorial of Chancellor Seton".

The Church is now a ruin, and no outward evidence exists to show the resting place of the great Chancellor; but this writer has been privileged to go into the vault and inspect the graves of him, his wives, his son and other near relatives.

Lord Dunfermline was married three times.

His first wife was Lillias Drummond, daughter of Patrick third Lord Drummond, whom he married about 1592. She died at Dalgety on 8th May 1601.

On 27th October 1601 he married Grizel Leslie, daughter of James, Master of Rothes, and half sister of the sixth Earl. She died on 6th September 1606.

Finally, in November 1607, when she was only fifteen years old, he married Margaret Hay, daughter of James seventh Lord Hay of Yester. She survived him, and is referred to again below.

By his first marriage with Lady Lillias Drummond the Chancellor had five daughters:

1. Anne married in 1610 Viscount Fentoun, son of the first Earl of Kellie.
2. Isobel born 1594 married, before 5th June 1610, John Maitland, Lord Thirlestane, afterwards Earl of Lauderdale. She died 2nd March 1638.
3. Margaret (1) born 1596 died in infancy.
4. Margaret (2) born 1599, married in 1614 Colin Mackenzie Lord Kintail, who, in 1623, was created Earl of Seaforth. It was to his father

Kenneth Mackenzie that Lord Dunfermline sold Pluscarden in 1595.<sup>1</sup>

5. Sopnia, married in 1612 Lord Lindsay of Balcarres.

By his second wife Grizel Leslie he had a son and two daughters:

6. Charles Lord Fyvie, born 1604 and died the following year of the "pest", which was raging in Edinburgh. Referring to this, the charitable Calderwood says the Chancellor

"was beaten by the curse pronounced by Joshua  
"upon the builders of Jericho".

7. Lillias died unmarried.

8. Jean "ane comely wench" born about 1606 and married John Lord Hay of Yester, afterwards first Earl of Tweeddale.

By Margaret Hay he had a son and two daughters:

9. Charles Lord Fyvie born 1608 who succeeded.

10. Grizel born 1609, never married, "though  
"she had noble suitors".

11. Mary born 1611, died young.

The Earl's widow, Margaret Hay, who was only thirty at his death married secondly in 1633 James, Lord Livingston of Almond, created first Earl of Callendar, in 1641.

On Lord Dunfermline's death she had Pinkie as dower house and the life rent of Dalgety, and the life rent of 20,000 merks. On 10th April 1635, after her second marriage, Charles I wrote to John, Archbishop of St. Andrews, Chancellor of Scotland, expressing his wish that she should have precedence in accordance with her position as Countess of Dunfermline.<sup>2</sup>

She was a woman of strong character, and in constant trouble with the Kirk Session. In 1649, as

1. Scots Peerage VII 503.

2. Seton: Family of Seton II 971.

"lyfe-rentrix" of Dalgety, she was ordered to remove certain "idolatrous images in the glass windows of the "Churche"; and, later, she was charged with scandalous conduct in "tarreing at home upon the Lordis day, "and not coming to the Kirk".

She was certainly a litigious woman, and contributed to her son's financial embarrassments by bringing no less than seven vexatious lawsuits against him in the Court of Session, regarding her rights in Lord Dunfermline's estate.

She died on 30th December 1659 and was buried in the family vault at Dalgety.

#### The Chancellor's Estate.

The details of the estate, contained in his holograph Testament of 4th March 1620, with a Codicil of 16th June 1622,<sup>1</sup> show that Lord Dunfermline left an estate valued £55,000, after making full provision for his two surviving unmarried daughters. He also left jewels to the value of £16,630 and a library valued at the very large sum of £1300.

He appointed his "nobill Lord and Cheiff" George, third Earl of Winton to be guardian of his young children Charles and Jean, and begged that the additions he had contemplated making at Pinkie should be completed.

An interesting feature of the Testament is his reference to the friendly feeling he had for the Setons of his day, who, he points out "all cumbit of ane stok".

1. Edinburgh Commissariat Vol. 53.



Charles, 2nd Earl of Dunfermline.

1608 -1672.

Charles was fourteen years of age when he succeeded his father in 1622, and, from that time was brought up by his cousin George, third Earl of Winton. Lord Kingston says that the Earl

"kept him and his sister and their servants in

"his house free gratis all the years of his tutory". When he came of age Lord Winton handed over to him the estate free of all debt, with a sum of 10,000 merks.

There is no doubt that Charles, intellectually at least, was a very different man from his distinguished father. According to the scandal loving and rather venomous Scotstarvet he was a confirmed and puerile gambler, and rapidly frittered away his handsome fortune.<sup>1</sup> But, although this statement is repeated in family histories, no details are ever given in proof of it. He may well have found the lawsuits launched against him by his mother very embarrassing; but, on the whole, it seems probable that the political troubles of his time and his own military expenditure may have been the real cause of the strained condition of his finances.

His own life long acquaintance with Charles I assisted him, and he was frequently at Court in London. The King showed him much favour, and appointed him a Gentleman of the Bedchamber; and in 1637 he was granted a Charter of Novodamus<sup>2</sup> of the Bailiary of the Regality and Justiciary of Dunfermline which had originally been bestowed heritably on his father. According to Scotstarvet he also had a tack of the Abbacy of Dunfermline with £20,000 Scots a year.

In spite of his upbringing and the Royal favour it is a melancholy fact that Dunfermline's name appears as a signatory to the "Supplication and Complainte" addressed to the Privy Council on 18th October 1637, which

1. Scotstarvet: Staggering State of Scots Statesmen 17.

2. Reg. Mag. Sig. LVII 19.

marked the final stage of the rebellion against the ecclesiastical policy of Charles I and Laud. This document went further than former ones, in demanding not only the recall of the new liturgy but the removal of the Bishops from the Council. The King rejected the Supplication.

The religious differences between Scotland and the Crown came to a head and on 28th February 1638 was produced the National Covenant, followed in the spring of 1639 by the outbreak of the "Bishops' War".

One of the signatories of the Covenant was Dunfermline, who, again breaking with family tradition, threw in his lot with the popular party against the Crown.

It was recognised, however, that Dunfermline's personal relations with the King placed him in a unique position, and for the next ten years he was the go-between of the Covenanters with the Crown.

The King, through his Commissioner the Earl of Traquair, refused to rescind any previous Acts in favour of Episcopacy, or to ratify those against that institution which had been passed by the Session of Estates in the autumn of 1639. Lord Dunfermline was consequently sent to London in January 1640 accompanied by Lord Loudoun, to obtain the Royal Assent. This failed, as the King refused to see the Commissioners; and, when they renewed their attempt some months later, Loudoun certainly, and possibly also Dunfermline, were imprisoned in the Tower on the charge of connivance with treasonable correspondence with France.

Having failed to move the King the Covenanters resorted again to arms.<sup>1</sup> The campaign, known as the second Bishops' War and conducted by the redoubtable Alexander Leslie, was speedily brought to an end by the capture of Newcastle on 29th August 1640. Dunfermline had raised a regiment at his own expense for this campaign, and served actively as a Colonel. He occupied Durham on 30th August.

1. Balfour; Annals II 324, 383, 391.

In spite of all this, on the close of hostilities, the King appointed him to the Privy Council in 1641<sup>1</sup>. and to be Commissioner at the General Assembly of August 1642. In this connexion a remarkable statement was made in the "Act of exoneration and approbation" dated 22nd September 1641, that Lord Dunfermline

"hath in all integritie, diligence, and wisdome  
 "above his yeiris, from the first beginning of  
 "the Pacification to the closeing thereof, walked  
 "woorthie of so great trust . . and therefore  
 "his Majestie and Estates of Parl<sup>t</sup> doe honour him  
 "with this ther naturial testimony that he hath  
 "deserved weel of the publict as a loyall subyeect  
 "to the King, a faithfull servant to the Estates,  
 "and a true patriot of his cuntrie".

It would be interesting to know what the King's views were on the Earl's loyalty.

During the next few years he took a prominent part in the conduct of Scottish affairs. He was certainly with the Scottish Army in Newcastle in 1646, in command of the Fife regiment, and there met the King when he surrendered.

Whether he was concerned personally in the dastardly negotiations which resulted in the King being handed over to the English Parliamentary party is not known. But there is no doubt he was one of those who supported the "Engagement" for the attempted rescue of Charles in 1648, and was debarred by the "Act of Classes" from holding any office of public trust, - thus breaking with the Covenanters.

After the King's execution he went abroad to Breda to the Court of the young Charles II, and returned with him to Scotland on 23rd June 1650. During his brief stay in the country he was entertained by the Earl for some days at Dunfermline.

In the operations which terminated in the disaster of Worcester on 3rd September 1651, Dunfermline commanded a regiment which he had raised himself and which

1. Balfour Annals III 66.

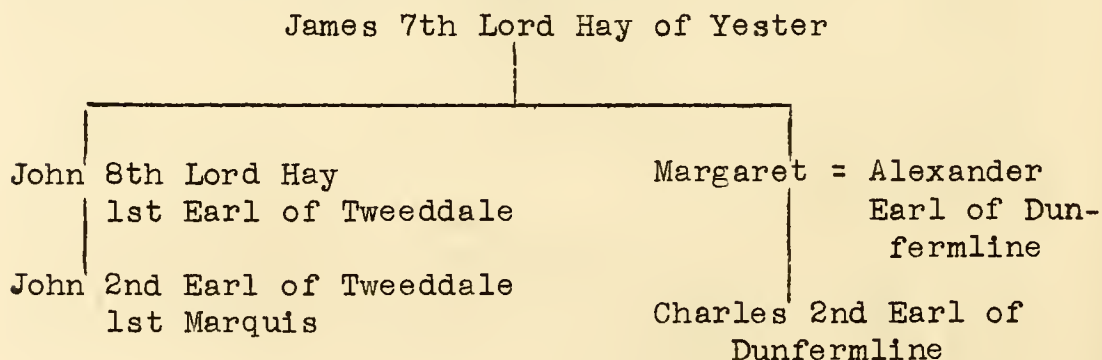
was called by his name; and, although he escaped capture, he retired into private life and nothing much is heard of him during the Cromwellian regime.

What the explanation may be of the change of outlook which he experienced in 1648 is a matter for speculation. It is possible it may have been the result of the influence on him of his father in law, the Royalist, William sixth Earl of Morton.

On the Restoration of Charles II in 1660 Dunfermline was appointed a Privy Councillor; in 1669 he became an Extraordinary Lord of Session, and, in 1671 he was appointed Lord Privy Seal.

Throughout these years the financial embarrassments of the Earl continued.

In the possession of the writer is a printed statement<sup>1</sup> by John, second Earl of Tweeddale, afterwards Marquis, Chancellor drawn up between 1692 and 1694. This document deals with the debts of Lord Dunfermline and the interest taken in them by John eighth Lord Hay of Yester, who was created first Earl of Tweeddale. The latter was Lord Dunfermline's uncle by marriage, as shown in the following table:



As far back as 7th March 1642 Dunfermline entered into a contract with his mother's second husband James Earl of Callander, and his uncle John first Earl of Tweeddale under which they became cautioners for him

1. Seton Charters  $\frac{D}{2-4}$  57.



in large sums of money on the security of the estates of the baronies of Fyvie and Urquhart and the Grange of Dunfermline. By 1650, according to Nicoll.<sup>1</sup>

"the Erle of Dunfermling his landis and estait  
"were appryeit fra him in ane Court of apprysin  
"held within the new Sessioun of Edinburgh".

The printed statement shows that he owed £77,000 Scots to John 1st Earl of Tweeddale in that year.

In 1668 Lauder of Fountainhall writes:<sup>2</sup>

"he's so morcaged his estate that my Lord Tweed-  
"dale, for security of cautionary, has tane pos-  
"session of Pinkie, Fyvie, Dunfermline with what-  
"somever things rests of his estate".

By 1691, long after the death of Charles second Earl of Dunfermline, the debts with interest stood at £290,000 Scots and the second Earl of Tweeddale said that

"for paying the Earl of Dunfermline's debts he  
"sold his whole interest in the Shire of Tweed-  
"dale, which was upwards of £1500 sterling of an-  
"nual rent, and, although it was sold at 20 years  
"purchase, yet the price does not exceed the debt".

As the Testament Dative of his property on his death shows that the Earl of Dunfermline left only £1648 it is evident that he must have been an unfortunate financier.

In November 1632 Dunfermline married Lady Mary Douglas daughter of the Royalist William, sixth Earl of Morton.

By this marriage he had issue:

1. Charles Lord Fyvie, born 1640, killed in a sea fight against the States of Holland in 1672. Little is known of him, though, in a communication to the King by the Privy Council, it was reported that he had "committed a ryot".<sup>3</sup> He died just

1. Nicoll: Diary of public transactions - 10 April 1650.

2. Fountainhall: Diary 1668 - p. 189.

3. Lauderdale Papers: 23114 fol. 62.

before his father.

2. Alexander third Earl of Dunfermline.
3. James fourth and last Earl of Dunfermline.
4. Henrietta, born 1651, married at Dalgety first in 1670 William fourth Earl of Wigton; and secondly William sixteenth Earl of Crawford. She died in 1681.

The Earl also had a natural son "Mr. Alex. Seton alias "Ross" a Jesuit priest in Garioch, and a prominent member of the Order in 1704.<sup>1</sup>.

The Earl died when on a visit to Seton on or about 11th May 1672<sup>2</sup> and was buried in the vault at Dalgety. His wife predeceased him at Fyvie in 1659, but she also was taken for burial to Dalgety.

Alexander, third Earl of Dunfermline.

1642 - ? 1676

His elder brother's unexpected death, just before that of his father, opened the succession of Alexander to a penniless Earldom in May 1672. He did not live to enjoy it as he himself died probably in 1676 in Edinburgh and was buried in Dalgety. He never married.

In 1673 he had a charter creating the Lordship of Fyvie into a "free burgh of barony" with power to him and his heirs to nominate bailies and magistrates for it, to execute justice, and to hold two fairs annually.<sup>3</sup>.

The Testament Dative and Inventory<sup>4</sup> of his goods show that a sum of £6000 was owing to him by Alexander Earl of Callendar for plate and jewels and other property removed from Dalgety and Pinkie House, and certain rents. This is explained by the fact that, shortly before his death, Lord Dunfermline brought an action against the Earl of Callendar and was successful.

1. Particular Condendence Highland Papers (Sco. Hist. Soc')  
III 61.
2. Scots Peerage III 374.
3. Seton: Memoir of Chancellor Seton. 173.
4. Edinburgh Commissariat Vol. LXXVI; Seton: Family of Seton  
II 904.

This property had belonged, during her life time, to his grandmother Margaret Hay.

James fourth Earl of Dunfermline.

1644 - 1694.

James succeeded his brother at the age of thirty two, but very little of his grandfather's estate came to him. The estate was heavily embarrassed, and Pinkie had been taken over in discharge of part of the debts by his kinsman the Earl of Tweeddale.

Lord Kingston says of him that "by his virtuous "wise carriage he has extricated himselfe of the greatest "part of that trouble". This certainly does not tally with the printed statement by the Earl of Tweeddale referred to above.

As a younger son James Seton had no prospects as a young man. Consequently he went abroad and served in the army of William of Nassau, Prince of Orange, as a soldier of fortune. On his brother Alexander's death in 1676 he returned to Scotland, and settled down in Fyvie where he was married.

On 25th April 1684 he had a charter of the Lordship of Urquhart.

When the Revolution broke out, Dunfermline, an ardent Jacobite in spite of his being a Protestant, joined Viscount Dundee on 1st May 1689 at Gordon Castle, with a body of Gordon Horse, and was one of his most loyal followers.

Before leaving Edinburgh he saw his brother in law the Duke of Gordon, who was holding the Castle for the King, and got from him letters calling upon the Duke's friends and vassals to join him and to provide all the horses he required.<sup>1</sup>

Immediately before the battle of Killiecrankie Sir William Wallace of Craigie produced a commission from King James II, superseding the Earl of Dunfermline in his command of the Cavalry; the only ground for this

1. Seige of the Castle of Edinburgh (Bannatyne Club) 39.

action was that Wallace was a Catholic and brother in law of the King's favourite, Lord Melfort.

Most men would have withdrawn altogether, but Dunfermline preferred to ride in the ranks as a Volunteer during the action, and, together with Drummond of Balhaldie and sixteen other gentlemen, he captured Mackay's four guns and scattered Belhaven's horse.

It was Dunfermline, too, who found the dying Dundee, and helped to carry him off the field.

There can be no doubt that, had it not been for the King's foolish selection of Cannon to succeed Dundee, Dunfermline would have carried on the work of his gallant leader. As it was he continued to serve under Cannon until the operations came to an end after the disaster of Dunkeld in 1691. He then went abroad, to the Court of King James at St. Germain.

On 14th July 1690 he was attainted and outlawed by the English Parliament.

King James, at first, received Dunfermline graciously and made him a Knight of the Thistle; but gradually coolness manifested itself, on account of the Earl's religion.

Without pecuniary resources of any sort he found himself compelled to leave Court and take service in the Scots Brigade at Dunkirk,<sup>1</sup> where he was still serving in June 1693.

On 26th December 1694 he died in Paris, the last of the Earls of Dunfermline. He had literally sacrificed everything for the Lost Cause of a King who, though a Stewart, was but a poor specimen of his race. He might well have reckoned that, when James left England, no good could come of offering resistance to the new regime; unfortunately for himself he pursued his ideal, sacrificed everything to loyalty to an ungrateful King, and, when he died, "his corpse was hid in a "chamber till an opportunity was found of digging a "hole in the field in the night, where they thrust him "in".<sup>2</sup>

1. Stuart Papers: Hist. MSS. Comm<sup>n</sup>. Reports 1-74.

2. Secret Services of John Macky: Preface Macaulay's Hist. Chapter XX.



On 6th July 1682 Lord Dunfermline married Lady Jean Gordun, daughter of the third Marquis of Huntly, and sister of George afterwards created Duke of Gordon, who held the Castle in Edinburgh for James II in 1689. Lady Jean had a tocher of 15,000 merks. From her husband she had the life rent of Fyvie.

They had two daughters:

1. Elizabeth probably died in infancy.
2. Mary was certainly dead before June 1698.

This branch of the Setons thus died out, and the remainder of the first Earl's property lapsed to the Crown in consequence of the attainder.

Had it not been for that attainder the Dunfermline honours would have passed to the descendants of the old Chancellor's brother Sir John Seton of Barns, in the person of the latter's great grandson George.

This George did actually assume the title and was popularly addressed as Earl of Dunfermline. He was taken prisoner in the '15, and was granted a remission. But he continued to use the title until his death.

His son Colonel James Seton claimed the Earldom, but it was held that the forfeiture in 1690 barred consideration of the case.

#### Arms of Seton Earls of Dunfermline.

Quarterly, 1st & 4th or, three crescents within a double tressure, gules for Seton; 2nd & 3rd argent, on a feso gules three cinquefoils of the first for Hamilton.

Supporters: horses at liberty, argent  
 Crest: a crescent, gules  
 Motto: Semper.

Chapter IXSETON OF KYLESMURE.

origin: from George 5th Lord Seton.

The Estate of Kylesmure.

It is difficult to determine why this branch of the family was styled "of Kylesmure" - the name of a "dominium" in Ayrshire.

In a Great Seal Charter of 20th December 1473,<sup>1</sup> James III, as tutor of his eldest son, granted to Robert de Bannatyne the lands of Kilmacolm, Ardrossan, and others in Kylesmure, to be held of the Prince.

Kylesmure must have passed to Melrose Abbey before 1527, as on 10th October 1527 James V confirmed a charter<sup>2</sup> granting the lands in feu ferme to William Hamilton of Maknariston.

On 17th February 1533/34 there was a confirmation of another charter<sup>3</sup> of the lands to the same Hamilton with licence to build a castle with iron gates, fortifications, and dungeons, and to maintain watchmen, jailors and other officials.

The lands ultimately reverted to the Crown and were granted by James VI to George fifth Lord Seton as a "pension", and in 1584 they were referred to as belonging to Sir John Seton of Barnes.<sup>4</sup> In 1591 the four sons of Lord Seton let the lands in tack to Hew Campbell of Trinzeane.<sup>5</sup>

By 1597 Sir William Seton was styled of Kylesmure, which, presumably meant that he owned the lands. As however his son was styled "of Grange" they must have passed out of the family before his death in 1635.

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1. Reg. Mag Sig VII 358.

2. Reg. Mag Sig XXII 31.

3. Reg. Mag Sig XXV 233.

4. Privy Seal Reg. LI 166; LII 8.

5. Register of Deeds XL - 177.

1. Sir William Seton of Kylesmure.

1562 - 1635.

Sir William was the youngest of the remarkable sons of George fifth Lord Seton, and was probably born about 1562. He lived to a ripe age and held positions of trust; but his name does not come into prominence such as characterised his brothers.

On 8th February 1587/8 he had a Royal Charter of considerable estates in the Stewartry of Kirkcudbright and in Wigtonshire, holding them of the Crown in feu ferme.<sup>1.</sup>

He appears to have had some quarrel with his elder brother Robert, Lord Seton, in 1586, as, on 26th April James Seton of Tullibody became cautioner in a sum of £500 that William "would not harm the said Lord".<sup>2.</sup>

In January 1597/8 he is styled "Knight, of Kylesmure", so he must have been knighted before then. The vituperative Scotstarvet, speaking of hereditary insanity in the Hamilton family, says:

"Sir William Seatone would needs have the sword  
"from the King wherewith he knighted him, and has  
"still been frantick since".<sup>3.</sup>

So far, however, from being "frantick" Sir William was at the beginning of a career in which sound common sense was the most necessary quality.

In 1597 he was Provost of Haddington. In 1607 he was appointed Sheriff Principal of Haddingtonshire;<sup>4.</sup> and in 1611 he was appointed one of the Justiciaries for the Border Counties.<sup>5.</sup> In July of the same year he became Chief Justice of the Southern Border and one of the Commissioners of the two Kingdoms to establish peace on the Borders.<sup>6.</sup>

1. Reg. Mag Sig XXXVII 51.

2. Reg. Privy Council IV 65.

3. Scotstarvet; Staggering State 94.

4. Miller: Lamp of Lothian 218.

5. Reg. Privy Council VII 702.

6. Fraser: Earls of Haddington 1. LIV.

He must have held these appointments for some years as, in 1616, he wrote to Lord Binning, Sheriff of Edinburgh, about the hanging of twenty one cattle thieves in Peebles

"It is ane piettie of the greit bowtcharie we mak  
 "of pretty men. We grieve in our actiounes,  
 "abhoris the crewyltie and ar eschamed of our ser-  
 "vice, in regard of the litall amendment of the  
 "countrey".<sup>1.</sup>

On 4th December 1609 Sir William had a Royal Charter confirming the disposal to him and his wife "Lady Anne "Stirling" of the lands of Garvaldgrange and the Kirk lands of Garvald, to be held of the Crown. These lands had belonged to the old monastery of Haddington and had passed into the hands of Patrick Horne, who had sold them to Sir William.

During the Parliaments of 1598, 1605 and 1617 Sir William represented Haddingtonshire. In 1618 he acted as one of the Masters of the King's household during the visit of King James to Scotland, and received £1000 Scots for his services.<sup>2.</sup>

Before 1620 he was appointed Post Master General and soon made his presence felt among subordinates who were guilty of mismanagement of their offices and who infringed his right to supply post horses throughout the Kingdom.<sup>3.</sup> While holding this office he retained the Justiciary of the Borders.

In 1623 he resigned the Postmastership in favour of his eldest son William,

In 1625 Charles I granted Sir William a pension of £1200, to be continued after his death to his two sons.<sup>4</sup>

When Charles came to Scotland in 1628 he again acted as a Master of the Household.<sup>5.</sup> In January 1629

1. Fraser: Earls of Haddington II 131.

2. Reg. Privy Council XI 387.

3. Reg. Privy Council XII 82, 365, 389.

4. Reg. Mag Sig. Paper Register II 381

5. Reg. Privy Council 2nd Series II 385, 391.



he was summoned, as one of the Commissioners of the Border, to advise the Privy Council about the "satling" of disordours" in that troublous region.<sup>1</sup>

In addition to his other official activities Sir William Seton was one of the pioneers of woollen cloth manufacture in Scotland. Successive Acts of Parliament towards the end of the 16th century had endeavoured to prevent the export of wool, and, after 1581, efforts were made to encourage a home industry by introducing craftsmen from the Low Countries to teach Scottish born apprentices. One of the centres of the industry was Haddington, and it was here that Sir William exerted himself, with no small measure of success, to modernise the methods of manufacture. In December 1602 he was granted permission to export 40 lasts of tallow.<sup>2</sup>

"for his best profit, for his trouble and the  
"great debt he sustained in bringing certain number of craftsmen clothiers, for the great benefit  
"of his native country, in the perfection of that  
"art and making cloth".

Sir William died at Haddington in July 1635, aged 73, and was buried at Seton Church. He had not amassed wealth, as the sum of his inventory was only £648.

He married before 1609 Agnes Stirling, daughter of the family of Stirling of Glorat, and had issue:

1. William who succeeded.

2. John, went to France, and entered Hepburn's Regiment in the French Army, and died there, after seeing much hard service on the Rhine.

There were also three daughters whose names are not known; one married a Fairlie of Braid, and another Sir John Auchmooty of Gosford.

1. Reg. Privy Council 2nd Series III 21, 78.

2. Reg. Privy Seal LXIX 201, LXXVIII 131; Patrick: Mediaeval Scotland 37-44.

2. William Seton of Grange.

? 1610 - 1662.

Very little is known of Kylesmure's son. On 2nd April 1623 he had a Royal Confirmation of the appointment of Chief Postmaster, with a salary of £500, which had been resigned in his favour by his father.<sup>1</sup> In this he was styled "of Grange", an indication that Sir William had handed Garvaldgrange to him during his life time.

On his father's death he was retoured heir male in this estate.<sup>2</sup> On 26th May 1625 Charles I confirmed him in his appointment,<sup>3</sup> and in January 1629 he is referred to in the Privy Council Register as "generall "postmaister throughout this haill Kingdom". Owing to abuses which had crept in, the Council in 1631 directed Seton to prescribe regulations for the speedier dispatch of mails "and keeping of ane register for receipt of packets".

Nothing more is known of him. He never married, and with him this branch of the family terminated. In the Scots Peerage he is styled "Sir William"<sup>4</sup> but the authority for this is not stated.

He died in 1662.

Arms of Kylesmure.

This branch bore the paternal coat with<sub>4</sub> for difference, "on a chevron azur a cinquefoil or"<sup>5</sup>.

The crest and motto are unknown.

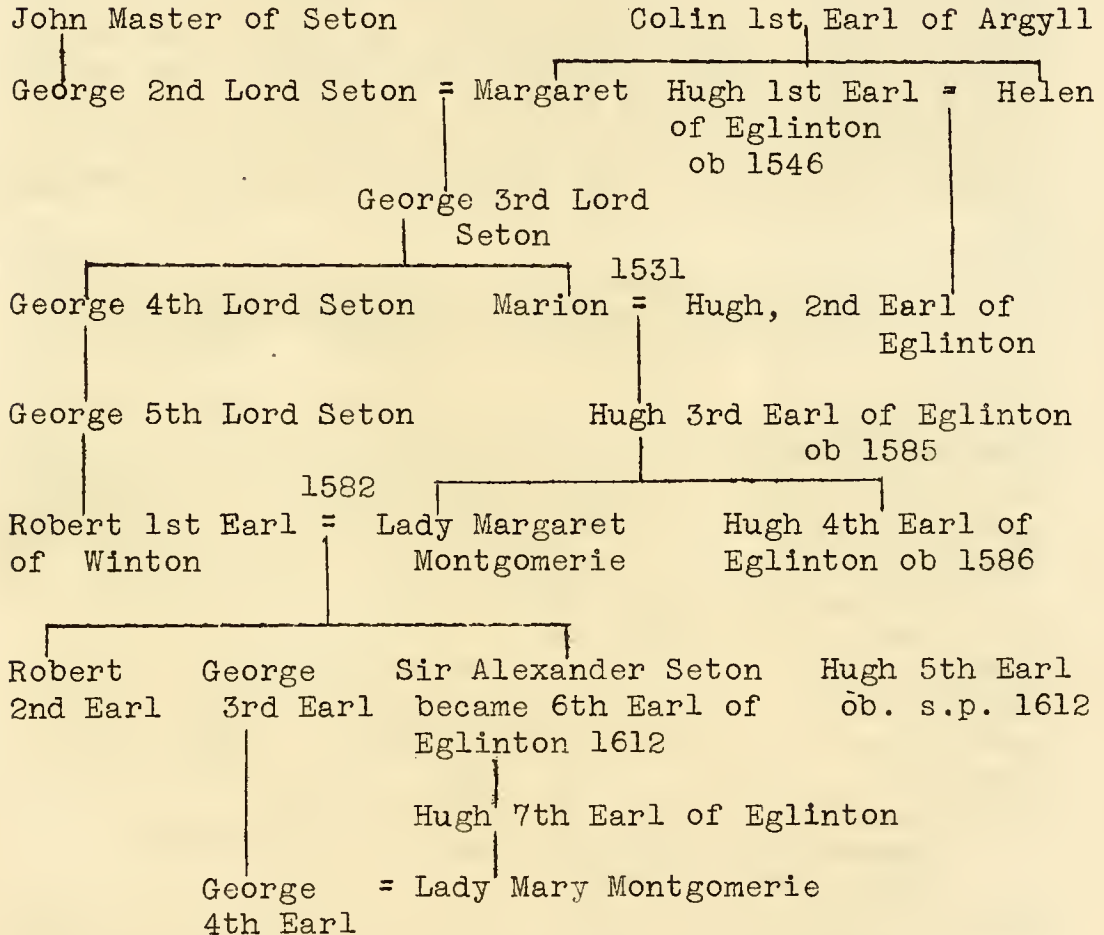
1. Reg. Mag Sig. Paper Register II 303.
2. Haldington Special Retours 164.
3. Reg. Mag Sig. Paper Register II 381.
4. Scots Peerage III 590.
5. M.S. Book of Blazons. Lyon Office.

THE SETON EARL OF EGLINTON.

origin: Robert sixth Lord Seton  
and first Earl of Winton.

The Seton-Eglinton Connexion.

This may be shown graphically as follows:



The first connexion of the Setons with the Montgomeries Earls of Eglinton was in 1531; when Marion, daughter of George third Lord Seton, married her cousin Hugh second Earl of Eglinton; their son Hugh became third Earl of Eglinton and, as his second wife, married

Agnes daughter of Sir John Drummond and Margaret Stewart (natural daughter of James IV), and, by her had a daughter Margaret Montgomerie and a son Hugh who became fourth Earl of Eglinton.

Robert sixth Lord Seton, who was created Earl of Winton, married Lady Margaret Montgomerie, sister of the fourth Earl of Eglinton. Hugh fifth Earl of Eglinton died in 1612 without issue. Before his death, however, he resigned the Earldom and had a charter of regrant, dated 28th November 1611, of the lands of Kilwinning and Earldom of Eglinton to himself, and, failing heirs of his body to his aunt Lady Margaret Montgomerie's third son, Sir Alexander Seton of Foulstruther.<sup>1</sup>

Sir Alexander Seton of Foulstruther.

6th Earl of Eglinton. 1588 -1661.

The third son of Robert sixth Lord Seton, first Earl of Winton and Lady Margaret Montgomerie, was born in 1588. From his father he had the lands of St. Germain's in Tranent and Foulstruther in the parish of Pencaitland, and appears to have been knighted before 1612.

The earliest reference to him in contemporary records was in July 1606 when, along with his brother George Master of Winton, he was summoned before the Privy Council and ordered to find good security for good behaviour, after having assaulted James, Earl of Glencairn, in Perth. The quarrel was between Glencairn and the then Earl of Eglinton, and

"lasted fra seven till ten hours at night

"with great skaith"<sup>2</sup>.

and it continued to agitate both families until 1609.

When his cousin Hugh fifth Earl of Eglinton died on 4th September 1612 Sir Alexander was retoured heir of tailzie in the Earldom of Eglinton, assuming the

1. Fraser: Memorials of the Montgomeries 1. 58, 59.

2. Reg. Privy Council VII 222, 288.



surname of Montgomerie, on 20th October; and, after the ceremony of infeftment on 30th October 1612, he assumed the style and title of Earl of Eglinton.<sup>1</sup>

This action at once gave rise to trouble. In the first place, Parliament intervened and declared that the temporality of the dissolved Abbey of Kilwinning belonged to the Crown, and that the Crown proposed to resume it. Then the King was annoyed at the assumption of the title by infeftment of entail, without his approval, and ordered him to resign the honours.

As regards Kilwinning, that property was conferred on Michael Lord Balfour, and Eglinton had to buy it back from him for 8000 merks.

The matter of the Earldom was more serious. The young Earl's uncle, Lord Dunfermline, did what he could to have matters put right, and great pressure was brought to bear upon the King to recognise the Earldom in the person of Sir Alexander. It was not, however, until March 1615 that the matter was settled. Sir Alexander formally surrendered the honours and then obtained Royal recognition of the Earldom, with confirmation of the former grant on 28th November 1611 to his cousin.

In a letter to the King dated 16th March 1615 the old Chancellor expressed gratitude for his action "in the langsum and fashious business of Eglinton".

This was followed by a fresh charter absorbing the lands of Kilwinning into the Earldom.<sup>2</sup>

Even then the young Earl was not free of embarrassment as he had to pay a sum of £54,333 Scots to his mother for her right in the Earldom.<sup>3</sup>

It is said that, during the negotiations, Sir Alexander interviewed the Earl of Somerset, the King's favourite, in regard to the claim, and was so threatening in his manner and in his references to his own skill as a swordsman that he acquired the nickname of

1. Scots Peerage III 445; Reg. Mag Sig XLVII 156, 261, 382.

2. Reg. Mag Sig 24 March 1614; Scots Peerage III 445.

3. Fraser: Memorials of the Montgomeries 1. 75.

"Greysteel", by which he was afterwards generally known.

After the matter was settled the relations between Eglinton and the King were quite friendly, and he entertained the latter in Glasgow in 1617. He was present at the funeral of James on 7th March 1625, and, at the coronation in Edinburgh of Charles I on 18th June 1633, he carried the spurs. On this occasion he was made a Privy Councillor.

Eglinton was now a man of marked piety, and, in the troubles that arose between King and country, he threw in his lot with the Covenant and became one of its chief adherents. This is the more remarkable as he certainly had no inherited bias in favour of the Covenant, and his wife was sister of the loyal Earl of Linlithgow. For the next few years he was one of the most prominent men in the religious and political world in Scotland.

He was present at the notorious Assembly in Glasgow in 1638, and in the "Bishops' War" in 1639 he commanded a regiment raised at his own expense; in the following year he took part in the advance into England and was present at the action of Newburn on 28th August 1640.

In 1641 he went to Ireland with a force to protect the Scottish settlers from sharing the fate of the English planters there, during the rebellion. He was largely responsible for the drawing up in 1643 of the "Solemn League and Covenant". By this iniquitous instrument a mercenary Scottish army, bought with English gold, was raised to espouse the cause of the English Parliament against the King. On 19th January 1644 that army crossed the Tweed.

At the battle of Marston Moor on 2nd July Eglinton, assisted by his youngest son Robert - who was, at that time, a Covenanter - was heavily engaged on the right wing of the Scottish army. In this action Robert lost his arm.<sup>1</sup> When there was every appearance of Prince

1. Baillie: Letters II 174.

Rupert's cavalry destroying this wing, "only Eglintoune "kept ground there, to his great loss".

In December 1647 the secret treaty between three Scottish Commissioners and the King known as the "Engagement" was drawn up. The King agreed, in the event of his restoration, to establish Presbyterianism in England for three years and to suppress the sectaries. Eglinton was opposed to this proposal, in this respect differing from his kinsman the second Earl of Dunfermline who had hitherto served with him.

When the Engagement Army under the Duke of Hamilton was cut to pieces by Cromwell at Preston in August 1648, Eglinton entered Edinburgh with 6000 men, and entered into negotiations with Cromwell. His apologists maintain that conscience, not disloyalty, actuated him during these years; but appearances are against him.

The murder of the King, however, horrified him; so deep was the impression it caused that, up to the day of his death, Eglinton's attitude to the party in power changed, and he became a Royalist.

When Charles II came to Scotland in 1650 Eglinton at once joined him and, on 31st March 1651, was appointed to the command of the Royal Horse Guards as "Captain-General". This was speedily followed by his expulsion as a "Malignant" from all office and military service in the Scottish Army, under the Act of Classes.

In 1651 the Earl was captured by a party of Cromwell's cavalry near Dumbarton and was taken first to Hull and then to Berwick. In the latter place he was incarcerated until the Restoration.<sup>1</sup> Owing to the escape of his son Robert from Edinburgh Castle in 1658 the Earl was subjected to considerable severity, and begged General Monk to intervene on his behalf,<sup>2</sup> but with no effect.

By this time he was seventy two years of age, and the rigours of imprisonment had told heavily on him. His release was followed in a few months by his death

1. Scots Peerage II 233.

2. Fraser: Memorials of the Montgomeries 1. 72.

on 14th January 1661 at Eglinton Castle. In spite of his long lapse from the principles of loyalty to the Crown, he must be regarded as one who, in the closing years of his life, was a martyr to the Cause which, at his prime, he had done so much to injure.

Throughout his life he was embarrassed financially. The Earldom had involved him in a payment to his mother of over £54000, and his accounts show that in one year alone, 1639, his military expenditure amounted to 48000 merks.<sup>1</sup> Writing in 1644 to his servant he said:

"all that I can get at this tyme is £10 sterling  
"quhilk you shall receave . . . God knows the  
"trouble I have been in to gett their moneys".

On 22nd June 1612, before he succeeded to the Earldom of Eglinton, Sir Alexander Seton married Lady Anne Livingstone, eldest daughter of Alexander first Earl of Livingstone, for some time Maid of Honour to Anne of Denmark, Queen of James VI. She brought him a tocher of 30,000 merks. She died on 12th November 1632 and was buried at Kilwinning

"without ceremony, and a preaching was made".<sup>2</sup>

By her he had issue five sons and three daughters. As the surname of Seton had now been given up it is not necessary to deal with these or with succeeding generations of the House of Eglinton.

There is, however, one of these descendants Archibald thirteenth Earl of Eglinton to whom attention must be turned in connexion with the honours of the main line of Seton.

#### The Eglintons and the honours of Seton.

In 1840 Archibald, thirteenth Earl of Eglinton, procured himself served nearest and lawful heir male

1. Fraser: Memorials of the Montgomeries II 291.

2. Balfour: Annals II 192.



general, and nearest and lawful heir male of provision to George Seton fourth Earl of Winton, whose son, the fifth Earl of Winton, had been attainted in 1716 and had died unmarried in 1749.

Eminent authorities have held that the attainder was not a bar to the succession to the Earldom, but that it was saved by a specialty.

However that may be - and it has never been decided by the House of Lords - all the branches of the family had disappeared by 1840. The Viscounts Kingston had died out with the attainted third Viscount. Representation then passed to the Setons of Garleton, and the third baronet Sir George became head of the family and de jure sixth Earl of Winton. On his death without issue in 1769 the succession passed back to the descendants of Sir Alexander Seton sixth Earl of Eglinton brother of George third Earl of Winton.

In 1859 Lord Eglinton was created Earl of Winton in the Peerage of the United Kingdom, by Patent dated 17th June 1859. The title now borne is Earl of Eglinton and Winton, and the Earls are the undoubted male representatives of the main line of the family of Seton.

#### Arms of Eglinton.

When Sir Alexander Seton became sixth Earl of Eglinton he adopted the following arms:

quarterly 1st & 4th azure, three fleurs de lis or for Montgomerie; 2nd & 3rd gules, three annulets or for Eglinton; all within a bordure or charged with a tressure for Seton.

The modern coat is a grand quarterly one. The Seton arms are included in the 1st & 4th grand quarters, and the 2nd is entirely a Seton-Hamilton one.

Chapter XSETON OF OLIVESTOB

origin: Robert 1st Earl of Winton.

Sir Thomas Seton of Olivestob.

? 1589 -

Sir Thomas was fourth son of Robert first Earl of Winton and Lady Margaret Montgomerie.

According to Lord Kingston his father gave him about January 1603 the lands of "Holliestob" or Olivestob in Haddingtonshire, just by Preston Pans.

Nothing is known about him, nor is it clear why he is styled "Sir" Thomas.

He married Agnes Drummond of the family of Drummond of Corskelpy in Perthshire and by her had only three daughters:

1. Margaret married George Seton of Cariston about 1638 and left a large family. Her husband died 1588.

2. Another daughter married Major James Keith, Sheriff of Kincardineshire.

3. Grissell married about 1655 James Inglis of Edinburgh. They had a daughter Isabel from whom is descended Miss Reid Seton of Leyton Essex. The date of Sir Thomas' death is unknown.

Failing male heir the estate was sold about 1625 to John Hamilton of Muirhouse, and at some later date became the property of Colonel Gardner, who was killed at the battle of Prestonpans in 1745. It was called Gardner's House, and now "Bankton House".

The only reference to Sir Thomas which has been traced is his presence at the funeral of his uncle Alexander Earl of Dunfermline in July 1622. So he must have died between 1622 and 1625.

SETON OF ST. GERMAINS

origin: Robert 1st Earl of Winton.

The Lands of St. Germaines.

A "hospital" existed here in the 12th century. The lands passed into the hands of the Knights Hospitalers, and, after the suppression of that Order, reverted to the Crown and were bestowed by James VI on King's College, Aberdeen. They then passed heritably to one William Little, burgess of Edinburgh, who resigned them in favour of Robert Lord Seton, afterwards Earl of Winton, on 14th Dec. 1599,<sup>1</sup> to be held of the Crown.

Lord Kingston says the Earl of Winton gave them to his son Sir Alexander, who afterwards became Earl of Eglinton, and that he transferred them to his youngest brother John; actually however they were granted by him to his mother Lady Margaret Montgomerie in life rent, and to John heritably, and with them the neighbouring lands of Greendykes and part of Longniddry,<sup>2</sup> on 14th January 1617.

They lie in the barony of Tranent.

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1. Sir John Seton of Germaines.

Practically nothing is known about him. In February 1621 he bought the lands of Foulden in Berwickshire for 2500 merks which he appears to have borrowed from his father in law. This estate had been "apprised" from William Arnot of Cockburnspath.

In 1625 he represented the Constabulary of Haddington in a Convention of the Estates. This is the only recorded instance of any public duty performed by him.

1. Reg. Privy Seal LXXI - 96.

2. Reg. Mag Sig XLVIII 187.

In 1636, letters of horning were issued against him, and he was therein styled "Sir John Seton . . . formerly designed John Seton". So he must have been knighted.

He married in 1620 Margaret, daughter of William Kellie, Senator of the College of Justice, and, besides several daughters had two sons John who succeeded and Francis who died about June 1666.

Sir John died in 1638 and was buried at Seton.

2. John Seton of St. Germain's.

Married Anna Turnbull, and had a son George.

3. George Seton of St. Germain's.  
1675-1718.

Writer in Edinburgh. He never married, and with him this branch failed.



SETON VISCOUNTS KINGSTON.

origin: George 3rd Earl of Winton.

Lands of Craigiehall and Kingston.

Craigiehall in the parish of Dirleton and Kingston near by belonged to the Earls of Winton, and Sir Alexander Seton, as second son, appears only to have had a life interest in them.

Sir Alexander Seton, Viscount Kingston.

1620 -1691.

Alexander, second surviving son of George third Earl of Winton was a remarkable man, combining as he did high accomplishments as a student and historian, good military qualities, and loyalty to the Stewart cause.

As a family historian, in his later years, the mantle of old Sir Richard Maitland fell on his shoulders, and to him we owe the "Continuation of the History of the House of Seytoun" which, in spite of certain inaccuracies, is an invaluable source of information.

Born on 13th March 1620 we are told that, in his early youth, he had such a knowledge of classics that, when Charles I visited Seton Palace in 1633, young Alexander

"welcomed the King with ane Latine oratione at  
"the iron gate",  
with the result that "His Majestie did him the honour  
"to knight him",<sup>1</sup> presumably in jest.

In 1636 he went to France to continue his studies. His thirst for higher education took him to the Jesuit College at La Fleche where he studied Philosophy for two years. He then travelled through Italy and Spain, and was at the Spanish Court for some months. In 1640

1. Seton: Family of Seton II 714.

he returned home.

The Revolution had broken out the previous year, and Edinburgh, Dumbarton and other fortresses were held by the Covenanters; the power of Huntly had been broken in the North; and the so-called "Pacification of Berwick" was proving but a slender restraint on either side.

Young Alexander arrived in London and went to Court, where he was cordially received by the King who sent him with letters of warning to his father, to Huntly, Nithsdale and others "to be carefull of themselves least they should be in danger". So urgent was this mission regarded that Sir Harry Vane was ordered to give him every assistance, and the Governor of Berwick was instructed to press a ship for his journey to Scotland.

In 1642 matters came to a head in England, and on August 22nd the King raised his Standard against the forces of Parliament, and the Civil War began. Scotland - or part of it - decided to support Cromwell by arms; and the Estates in August 1643 drew up the "Solemn League and Covenant" and called on every one to sign it.

In order to avoid subscribing to this document Alexander went abroad and stayed in Holland for some months. On his return pressure was again brought to bear on him to sign, but he refused, and on 8th October 1644 he was excommunicated in the parish church of Trant, along with his stepmother the Countess of Winton and his sister in law Lady Henriette Gordon wife of Lord Seton.

In the circumstances of the time this virtually implied banishment, and Alexander was once again compelled to leave the country. He could not go through England owing to the presence there of the Scots Army, but went to France direct from Leith.

The English Queen and Prince Charles had escaped to Paris, and Alexander was in attendance on them there until the end of 1647. He came over once to London and saw the King at Hampton Court, and later in the

Isle of Wight. The King sent him back to Paris with secret verbal communications for the Queen, to the effect that a Scottish Army would come to his assistance in a few months.

Having delivered his message Alexander came back to Scotland "to ingadge in the Scots Army when levied". On 2nd March 1648 the Estates met and troops were raised, and Alexander Seton was appointed Lieutenant Colonel of Horse in the unfortunate force commanded by Hamilton. They crossed the Border on July 8th, and were cut to pieces by Cromwell in three days fighting (August 17 - 19) at Wigan, Preston, and Warrington.

Alexander escaped, and must have lain 'perdu' for a time. On July 22nd 1650 Cromwell entered Scotland, and the occupation of the country began.

According to Whitelocke<sup>1</sup>. Alexander

"speedily raised 30 Horse, 'desperado gallants'  
"and established himself in Tantallon, where he  
"assembled more men, and done us more harm than  
"the whole Scots army".

In February 1651 Cromwellian troops, numbering 2000 men, under General Monk, laid seige to Tantallon.

Writing on the 14th to the Earl of Lothian<sup>2</sup> Alexander said:

"We hier arre doeing our best for his Manestie's  
"servince . . for quhat we ar bee all gud fellows  
"and of one meind, purpossing to stand it to the  
"last".

But Monk's 40-pounder guns from Edinburgh Castle were too strong for the defence, and "after he had  
"battred at the wall for 12 days continually with grate  
"cannon . . and oppind a warey large breache, and filled  
"the dry ditche" the end came, and the English troops entered. According to Balfour<sup>3</sup>.

"The capitane (Alexander Seton) and these few men  
"wer with him betooke themselves to the Tower . .

1. Whitelocke: Memorials (1732) 488.

2. Correspondence of the Earls of Ancrum & Lothian II 340.

3. Balfour: Annals IV 249.

"bot the enimey, seeing them stand gallantly to  
 "it, preferrid them quarters, wich they accepted".  
 The garrison marched out with the honours of war, the  
 numbers being variously stated as 80 or 91 officers  
 and men.

Meanwhile Prince Charles had come over from Hol-  
 land and, after unending negotiations, had been crown-  
 ed at Scone on 1st January 1651. Alexander, after  
 his Tantallon exploit, must have joined him, and found  
 that Charles had created him Viscount Kingston, with  
 limitation to heirs male of his body, 14th February  
 1651. This was the first honour granted since his  
 coronation, and it was probably a recognition of the  
 services rendered to him and his mother by Alexander  
 in Paris. His second title was Lord Craigiehall.

It is probable that after this Lord Kingston  
 joined the Royal Army and was present at the disaster  
 of Worcester on 3rd September 1651, but escaped.<sup>1</sup>

He was guardian to his nephew George fourth Earl  
 of Winton who succeeded his grandfather on 17th Decem-  
 ber 1650, and it was probably, therefore, at Seton  
 Palace that Kingston lived for some years. He says  
 himself, in his family history, referring to this duty:

"I did faithfully performe five full years, to my  
 "great trouble and expence".

In after life the Earl and Lord Kingston were always  
 on the friendliest terms, and it was to

"my noble Lord and dear nephew"  
 that he dedicated his valuable "Continuation" of the  
 history of the family.

In October 1654 Lord Kingston, as guardian to the  
 young Earl sent in a petition praying for remission of  
 a fine of £2000 sterling imposed on him by the Parlia-  
 mentary Army under the "Act of Grace and Pardon". This  
 petition, while not adhering too closely to the truth,  
 was successful in so far as the fine was reduced to  
 £800.<sup>2</sup>

1. ? Papers in possession of Hay of Duns.

2. Seton Charters M p. 22; Acta Parl. Scot. VI pt. II 820,  
 10-1 840.



How Lord Kingston escaped being fined himself is a mystery which has not been solved. Later, on 14th March 1689, he absented himself from the Scottish Convention summoned by William and Mary and was fined £1200, but was "excused on account of infirmity".

Legitimist Kalendar 1910. p 146.

### Marriages.

Lord Kingston married four times.

His first wife was Jean, daughter of Sir George Fletcher, and by her had issue:

1. Jean, born at Seton ; 24th April 1651, who married James Douglas third Lord Mordington.<sup>1</sup> The date of his wife's death is not known, but on 22nd July 1652 he married Elizabeth, daughter of Sir Archibald Douglas of Whittinghame; as heiress to her brother, who died in November 1660<sup>2</sup> she succeeded to the family estate.

She died 21st October 1668 having had issue:

2. Charles Master of Kingston, born 4th April 1653 and died in his father's lifetime unmarried 7th June 1682.

3. George born 29th July 1654 and died unmarried in May 1678 after having served in Douglas' Regiment in France as a Captain for some years.

4. Alexander "a great schollar" born 4th November 1655 died 4th October 1676.

5. Archibald born at Whittinghame 5th October 1661 and succeeded his father as second Viscount.

6. Arthur born 30th December 1663 and died on 23rd October 1691, two days after his father. They were buried together in Whittinghame Church.

7. John born 11th October 1665 died 29th April 1674.

8. James born 29th January 1667 and succeeded his brother Archibald as third Viscount.

1. Family Bible at Duns.

2. Haddington Retours 259.

9. Isobel born 18th November 1656, died 13th June 1677.

10. Barbara born 4th September 1659 died 5th November 1679.

11. Elizabeth born 21st April 1668, married 23rd November 1695 the Hon. William Hay of Drumelzier, son of John first Earl of Tweeddale. On her mother's death in October 1668 she inherited from her the old Douglas estate of Whittinghame, and took it with her on her marriage. The estate remained in the Hay family until 1817, when it was sold to Mr. James Balfour.

Through her daughter Margaret Hay, who married Sir Henry Seton fourth Baronet of Abercorn, that branch has descent from Lord Kingston, and, through him, from the third Earl of Winton and the latter's predecessors.

In due course Elizabeth's descendants became heirs of line of Kingston.

On the death of his second wife in 1668 Lord Kingston is said to have married Elizabeth Hamilton daughter of John first Lord Belhaven. This seems doubtful, as the Scots Peerage gives no evidence of such a marriage, nor had Belhaven a daughter of that name.

On 4th August 1685 Kingston married Lady Margaret Douglas daughter of Archibald Earl of Angus, with a tocher of £10,000 Scots. She died 12th October 1692, leaving no issue.

Besides Craigiehall and Kingston, which were probably merely life rent estates, Lord Kingston appears to have had from his father the barony of Hailes which the latter had obtained by a Royal Grant in March 1648.<sup>1</sup>

In 1650 he obtained from his kinsman James second Earl of Abercorn the Barony of Abercorn,<sup>2</sup> but on 10th

1. Reg. Mag Sig LVIII 141.

2. Seton Charters A 146; Reg. Mag Sig LX 125.

December 1661 he "assigned" it, on payment of £3000 to Sir Walter Seton first Baronet of Abercorn.

According to Sir George Mackenzie<sup>1</sup> Lord Kingston "died poor, having spent both his own estate and his "Lady's".

He died 21st October 1691 and was buried in Whittinghame.

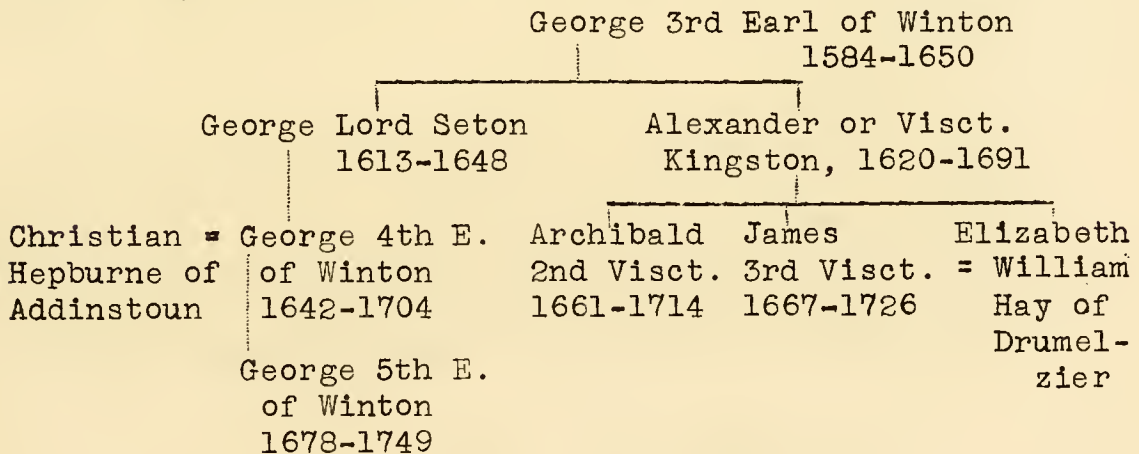
Archibald Seton 2nd Viscount Kingston.

1661-1714.

The three elder sons of the first Viscount by his second wife, Elizabeth Douglas, having predeceased their father, Archibald, the fourth son succeeded on 21st October 1691. He had already been served heir to his brother Charles, Master of Kingston<sup>2</sup> who died in 1682, and to his mother.<sup>3</sup> It is not clear why her estate of Whittingham should have gone to her daughter Elizabeth, but the fact remains that it did.

Archibald was born and brought up at Whittinghame, and practically nothing is known about him except his remarkable intromission in the estates of the Earldom of Winton. He inherited Hailes from his father, and apparently sold it to Sir David Dalrymple.<sup>4</sup>

Before dealing with the Winton affair it is necessary to be clear about the relationships of the persons concerned, in tabular form.



1. Mackenzie: M.S. Acct. of Scottish Families. Brit. Museum 12464.

2. General Retours 6494. 17 Sept. 1683.

3. Haddington Retours 350. Sept. 1684.

4. Grose: Antiquities of Scotland 1-90.

When the fourth Earl of Winton died in 1704 his eldest son George was abroad, apparently in consequence of a quarrel, and did not return to Scotland for a considerable time after his whereabouts had been discovered by Sir Walter Seton Bt. Archibald Viscount Kingston, during his absence, claimed that he was illegitimate and that he himself was next of kin to the fourth Earl and therefore entitled to the Earldom and the Estates. Consequently he took possession of the latter, and, aided by his brother James and his brother in law William Hay of Drumelzier, proceeded to administer the estates as if they were his own.

In a printed "Information" for the Earl drawn up on his return by David Dalrymple (Lord Hailes) it is stated that these three persons excused their action in occupying Seton by saying it was because of their having to attend the fourth Earl's funeral. At the same time, however, they took the opportunity of carrying off goods, furniture, pictures etc. to Whittinghame; which no doubt accounts for the fact that many of the old Winton possessions are now owned by the Hays of Duns.

On the Earl's return to Scotland in November 1707 he took the case of his legitimacy to the Courts, and produced proof of his father's marriage. On 4th July 1710 he had a general retour of service, in which he was stated to be the lawful and nearest heir male and of line of George Earl of Winton his father. The Court which granted this retour consisted of fifteen Senators of the College of Justice.

Lord Winton never forgave the Kingston brothers, and in his disposition dated 16th March 1708, now in the possession of Sir Bruce Seton Bt.,<sup>1</sup> he appointed procurators to resign his Earldom for a regrant to his heirs male and heirs female or to any person designated, successively, failing whom it was to pass to Archibald Seton of Touch and his heirs male. In a special paragraph he secludes and debars Archibald Viscount

1. Seton Charters M p. 35.



Kingston, his brother James, their sister Elizabeth wife of William Hay of Drumelzier and their heirs from inheriting in any circumstances whatever.

This was, of course, rendered inoperative by his own attainder in 1716.

No other reference to Archibald Viscount Kingston has been traced. He never married, and died in 1714.

James, third Viscount Kingston.

1667 - circa 1726

James Seton entered the Army in 1687 as an Ensign in the Scots Fusileers, then commanded by Thomas Buchan, an ardent Jacobite. He probably did not go abroad with the regiment, as on 16th August 1690 he was concerned with John Seton, brother of Sir George Seton Bt. of Garlston, in the robbery of mail bags near Dunbar.<sup>1</sup>

Whether there was any political significance in this escapade is uncertain; having regard to James' later career there may well have been. The culprits, who affected to treat the matter as a joke, called on the Sheriff and asked why they were wanted; they were disarmed and taken to Haddington. James however succeeded in escaping. The Privy Council considered the case but took no action as regards him; John Seton however was imprisoned in Edinburgh Castle and was tried in July 1691, but was acquitted.

On his brother Archibald's death in 1714 James succeeded as third Viscount. He was at that time married.

When the Earl of Mar raised the Royal Standard at Braemar in August 1715 Kingston was present, and joined the Jacobite army. Like the Earl of Winton, Huntly, and Archibald Seton of Touch, he had been cited to appear as a suspected person, in Edinburgh. He failed to appear and was fined £500 sterling "in absentia" and sentenced to a year's imprisonment.

1. Chambers: Domestic Annals of Scotland III 32.

Though Kingston joined Mar he did not take a prominent part in the Rising, but, at the end of that rather inglorious attempt to restore the Stewarts, he was among those who were attainted by Act of Parliament, and his estates and honours confiscated. As his elder brother had sold Hailes, and Whittinghame had gone to his sister Elizabeth, it does not seem that there were any estates to confiscate.

He then went abroad, and his signature appears in the Register of Padua University on 13th June 1718.<sup>1</sup>

He died in or about 1726, and with him ended the male line of Alexander Viscount Kingston. As stated above, his sister Elizabeth was heir of line of the family, and by her marriage to Hon. William Hay of Drumelzier, carried on the succession to her eldest son Alexander Hay of Drumelzier and Whittinghame, ancestor of the Hays of Duns. Her granddaughter Margaret married Sir Henry Seton 4th Bt. of Abercorn.

Lord Kingston married, after 1710 but before 1714, Lady Anne Lindsay, daughter of Colin third Earl of Balcarres and widow of the fifth Earl of Kellie. They had no family.

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1. Horatio Brown: List of English & Scots at Padua University  
1618-1765.

Arms of Viscounts Kingston.

Quarterly, first and fourth or, three crescents gules within a double tressure; second and third argent, a dragon with wings expanded, tail nowed, vert for Kingston.

In the later coat,<sup>1</sup> after the first Viscount's marriage to Elizabeth Douglas there was a different arrangement. The first quarter was azure, three cinquefoils argent for Fraser; second quarter, quarterly as described above; third quarter ermine, on a chief gules two mullets argent, in base a cinquefoil sable, for Douglas of Whittinghame, fourth gules three bars ermine for Gifford of Yester.

Over all, on an inescutcheon argent three escutcheons gules for Hay.

This coat presents difficulties as the first Viscount seems to have taken the Fraser quartering without being descended (as the Setons of Touch and of Abercorn were) from Fraser; the third quarter represents his wife Elizabeth's family; the fourth quarter is inexplicable.

Crest: a goat's head erased argent, armed or; an earlier crest was a flame of fire issuing out of a crescent gules

Motto: there were two, "habet et suam", and a modification of the old Seton motto "Encore avant". According to Fairbairn the first is also a Seton motto.

Supporters: nil.

1. ~~Illuminated~~ ~~Poorage~~ of Scotland: Brit. Museum additional Papers 33260.

SETON OF GARLETON

origin: George third Earl of Winton.

The Lands of Garleton.

Garmiltoun or Garleton was originally part of the barony of Byres, owned by the Lords Lindsay. On 6th June 1609 Thomas Earl of Haddington had a charter of the barony which he had purchased from the eighth Lord Lindsay for £33,333 Scots.<sup>1</sup>

This barony included Garleton and Athelstaneford, and must have been disposed of by Haddington as, in 1643 George third Earl of Winton bought from Sir Alexander Touris or Towers "all and haill the lands of "Easter Garmilton and Garmilton-Noble, and the lands "of Garmilton-Alexander and middle Garmilton and others" in life rent, and gave them in fee to his son Christopher. The sum paid for them was 95,000 merks.<sup>2</sup>

About the same time Lord Winton acquired Athelstaneford from Sir Patrick Hepburn of Waighton, and had the two estates converted into a barony of Athelstaneford.

Christopher Seton having been drowned in July 1648 the Earl on 13th August 1649 gave the estate to his next son John, who was created a baronet "of Garleton".<sup>3</sup>

1. Sir John Seton Bt. of Garleton.  
1639 - 1686.

John Seton was fifth surviving son of George third Earl of Winton and his second wife Elizabeth Maxwell, daughter of Lord Herries. He was therefore half brother of George Lord Seton and Alexander Viscount Kingston.

1. Scots Peerage IV 313.

2. Seton Charters: M p.20; Scots Peerage VIII 501.  
9-4

3. Reg. Mag Sig LVIII 194.



According to Lord Kingston he was  
 "ane virtuous man, much given to policie, and  
 "improver of his fortune".

These qualities perhaps account for the fact that he does not figure in contemporary chronicles. He was a Catholic, as were most of his successors.

On his father's death he inherited 10,000 merks.

On 9th December 1664 he was created a Baronet.<sup>1</sup>  
 He married Christian (or Isabel) daughter of Sir John Home of Renton<sup>2</sup>. Senator of the College of Justice, and Lord Justice Clerk, whose wife was Margaret Stewart, a natural granddaughter of James V.

They had a large family.

1. George succeeded as second Baronet.

2. John born about 1668. He was educated at Douai. He was concerned with his cousin James, afterwards third Viscount Kingston, in 1690, in the unexplained incident of the robbery of mail bags near Dunbar (see Kingston). For this he was imprisoned in Edinburgh Castle and was tried in 1691, but was released. He died in Germany about 1715.

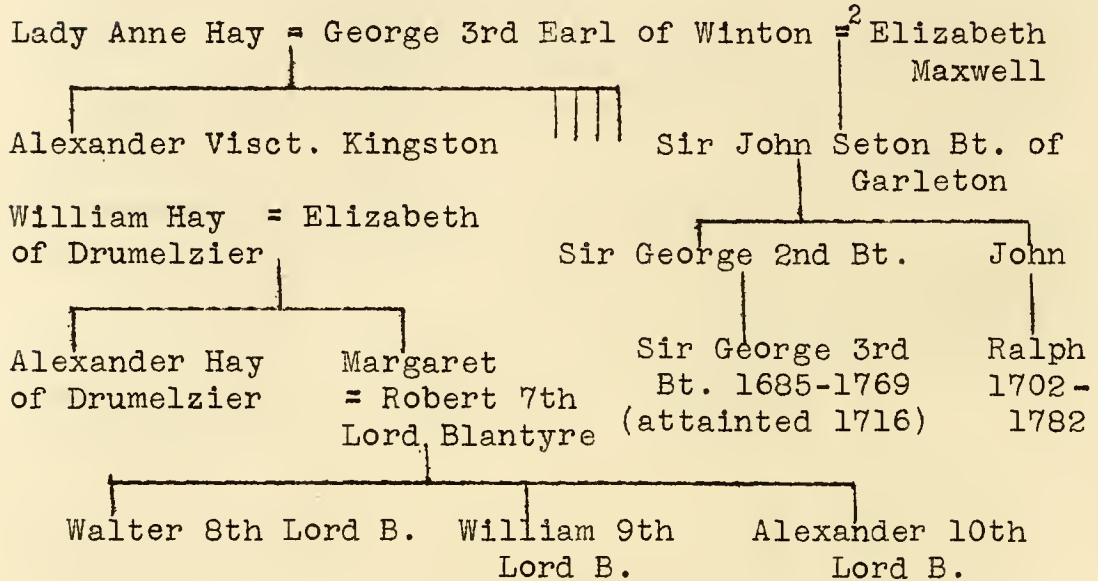
In 1695 he married Francis, daughter of Sir Richard Neale Bt., Under Sheriff of Durham, and by her had two sons:

a. Ralph born 1702. On the death of his cousin the third baronet of Garleton, in 1769, he became heir male in the heraldic honours of the house of Seton in succession to the attainted Earl of Winton. The whole family recognised him as representative of the main line, and, in 1771, when he was an old man, he was supported by the Duke of Gordon, the Earl of Eglinton, Lord Blantyre, Alexander Hay of Drumelzier, Margaret Lady Blantyre and Hugh Seton of Touch, who entered into

1. Reg. Mag Sig LXIII 13.

2. Scots Peerage III 282.

an engagement to pay him a sum of 41 guineas a year.<sup>1</sup> His relationship to the main line and others was as shown below.



Ralph was never married. He died at Newcastle in 1782, and the Burial Register describes him as "Lord Seton . . . representative of George Seton, "Earl of Winton, attainted in 1715"

b. John born in Durham 1707. He lived in London and died in January 1775. By his wife Mary Newton he had a son John born in 1755, who, on the death of his uncle Ralph Seton in Dec. 1782 became the head of the house of Seton. He died in 1796, leaving a daughter Mary, born 1796 who married John Broadbent. This daughter died in 1870 leaving, among others a son James who assumed the name Seton-Broadbent, born in 1828; he died in 1907, leaving a son Thomas George born in 1855 who is, or was, in the Railway Clearing House Dept.

1. Seton Charters: G p.65.

1-1

2. Scots Peerage VIII 597; Complete Baronetage III 351.

The Scots Peerage<sup>1</sup> considers him to be probably now "heir of line of the House of Seton and, but "for the attainder of Sir George Seton of Garleton, "third baronet, would apparently be entitled to "claim the barony of Seton, provided that no representative is in existence of Mary, third daughter "of Sir George Seton, second baronet, wife of John "Arrat of Fofarty"

3. Father Robert, born 1667, educated at Douai, and became a Jesuit priest in 1688. In 1696 he joined the Scottish Mission and worked indefatigably on Deeside,<sup>2</sup> where he died 6th Feb. 1732.

- 4. Alexander died about 1705 unmarried.
- 5. Margaret a nun, died in France.
- 6. Christopher
- 7. Charles
- 8. Christian
- 9. Elizabeth
- 10. Isobel

} all died young.

In 1671 Sir John was retoured heir male to his younger brother Sir Robert Seton of Windygoul,<sup>3</sup> who left a fortune of £62880.

Sir John died in 1686 and was buried at Athelstaneford.

2. Sir George Seton second Bt. of Garleton.  
1665 - circa 1720

Like his brothers John and Robert Sir George was educated at the Scots College, Douai, which he entered on 25th May 1675, aged ten. He travelled widely on the Continent and succeeded his father in 1686, when

1. Scots Peerage VIII 598.

2. "Particular Condescendance" Highland Papers (Soc. Hist. Soc.)  
III 60.

3. General Retours 5496. 20 Feb. 1672.

he was retoured heir male in the estates of Garleton and Athelstaneford.<sup>1.</sup>

His name appears on 18th May 1704, along with those of his wife and children, as a Catholic living in Athelstaneford Parish.

In 1686 he married Barbara, daughter of Andrew Wauchopè of Niddry-Marischal, with whom he had a tocher of £10,000. She divorced him on 11th May 1705.<sup>2.</sup>

By her he had issue:

1. George who succeeded.
2. James settled in France, and served as Captain in Keith's regiment.<sup>3.</sup> He died without issue before December 1769.
3. John born about 1695, educated at Douai, and became a Jesuit priest in Madrid in 1718. He joined the Scottish Mission in 1725 and died in Edinburgh in 1757.
4. Andrew born about 1700. Educated at Douai and Madrid. He entered the army and served in Ireland's regiment and died without issue at Cape Randasso, Sicily, 10th October 1719.
5. Margaret died unmarried 1730.
6. Barbara died without issue 1769.
7. Mary married John Arrat of Fofarty, Angus. On the death of her brother George, third baronet, in 1769 she was retoured his nearest heir on 1st December 1769.<sup>4.</sup> She had a daughter, who is believed to have had a son born 1771.

Sir George Seton was dead before 22nd March 1720.

3. Sir George Seton third Baronet of Garleton.  
1685 - 1769.

Like all his relations he was educated at Douai;

1. Haddington Retours LXXIX: General Retours 6764.
2. Commissariat Edinburgh, Consistorial Decrees 1-601.
3. Register of Deeds CLVII 7 July 1720.
4. Register of Retours LXXIX - 158.



he returned to Scotland on 18th April 1698.<sup>1</sup>

Being a Catholic and a convinced Jacobite he came out in the 1715 and served in the troop of gentlemen commanded and raised by his kinsman George fifth Earl of Winton. He was taken prisoner at Preston<sup>2</sup> and was attainted in 1716.<sup>3</sup> He went to Paris, where he settled down. Garleton was acquired by the Earl of Wemyss, in 1724.

In spite of his attainder he assumed the Baronetcy on his father's death in 1719 or 1720; and, the Setons Viscounts Kingston having died out in 1726, he also assumed the title of the attainted Earl of Winton on the death of the latter in Rome on 19th December 1749. Even before the Earl's death, however, in March 1739, he tried unsuccessfully to borrow £150 from the Earl of Eglinton "to carry on his claim to Winton".<sup>4</sup>

In a letter dated 27th February 1757 from Paris to Alexander Hay of Drumelzier,<sup>5</sup> in which he signs himself "G.S. Winton" he begs Hay to try to recover from Lord Somerville

"to give up the family picturs, now in his custody  
"... he alwaise said he would give them up to the  
"family".

He also says "the aald wife Pitcairn", i.e. Elizabeth Stevenson who was factrix to the fifth Earl of Winton, had filched money and furniture from Seton Palace and was living in Winton; and accuses John Buchan, lessee of the Seton estates under the York Buildings Company, of "plunder", adding that:

"he may content himself with perhaps £20,000 he has  
"made of the estate".

Sir George died unmarried in April 1769<sup>6</sup> at Versailles, aged eighty four; his cousin Ralph (see above) then succeeded to the rights to the baronetcy (had it not been attainted) and to the representation of the main line of the family.

1. Record of Scots College 1 - 64.
2. Rae: History of the Rebellion (Ed 1746) 325.
3. Complete Baronetage III 350.
4. Fraser: Memorials of the Montgomeries 1. 334.
5. Seton: Family of Seton II 913.
6. Brit. Museum 20701.

Arms of Seton of Garleton.

Quarterly 1st & 4th or three crescents within a double tressure counter glory, gules; 2nd & 3rd azure, three garbs or All within a bordure quartered azure and or

Crest: a star of six points in its splendour

Motto: "habet Et suam"

This blazon occurs in a M.S. "Arms of the Nobility and "Gentry of Scotland". 1.

SETON OF WINDYGOUL

origin: George third Earl of Winton.

Sir Robert Seton Bt. of Windygoul.

1641 - 1671

The sixth son of George third Earl of Winton and Elizabeth Maxwell, he was educated at the Scots College Douai.

Under the charter of the estate of Garleton to his elder brother John it was provided that the latter should warrant to Robert the lands of Easter and Wester Windygoul in the parish of Tranent.<sup>2</sup>

On 24th January 1671, shortly before his death, he was created a Baronet.<sup>3</sup>

In November of that year he died unmarried and was buried in Seton Church. His brother Sir John Seton of Garleton was served heir to him 20th February 1672.

The Records of the Scots College show that he left them 30,000 merks<sup>4</sup> but this is not recorded in his testament which showed that he had debts owing to him on his decease to the extent of £62,800.<sup>5</sup>

Arms<sup>6</sup>.

The Winton coat with a fleur de lis as mark of difference.

1. Brit. Museum 20701.
2. Reg. Mag Sig LVIII - 194.
3. Reg. Mag Sig LXII - 286.
4. Scots Peerage VIII 600.
4. Edinb. Testaments.
6. Seton: Family of Seton 742.

SETON OF MONKMYLNE.

origin: John Master of Seton.

SETON OF NORTHRIG.

origin: George 2nd Lord Seton.

John, Master of Seton, who died in his father's life time, left three sons:

1. George 2nd Lord Seton
2. John
3. Alexander who became ancestor of the Setons of Monkmylne; he left several sons, all of whom, according to Maitland, "deit without "successione" except the eldest John, bailie of Tranent.

John was succeeded by three sons:

1. George served heir to his father in 1585, and died s.p.
2. Henry who appears to have acquired Monkmylne, died s.p.
3. John succeeded his brother in the lands in 1586.

This John had a son of the same name; and the latter left two sons:

1. Alexander, served heir to his grand uncle Henry in the lands of Monkmylne in 1628.
2. Robert bailie of Tranent, whose name appears in connexion with official papers of the then Earl of Winton.

From Alexander Seton, by his wife Mariota Gray, came three generations of Setons of Monkmylne, the last being Margaret who took the property on marriage, to William Robertson. Their descendants still continue as "Robertson-Glasgow".

George second Lord Seton had a second son Robert who became "ane man of arms in France", which may have meant he was in the Scottish Archer Guard. He died in Milan leaving two sons:

1. William a "man of arms" in France.
2. Alexander married Jonet Sinclair, daughter and heiress of Sir John Sinclair of Northrig. From this marriage sprang the Setons of Northrig, of whom practically nothing is known. According to Mr. George Seton<sup>1</sup> this Alexander died in Jan. 1567/8 and left four sons:

1. Thomas Seton of Northrig
2. John
3. George
4. Henry Provost of Dirleton Church in 1565, and later Vicar of Aberfoyle.

Thomas Seton of Northrig married Griselda daughter of Archibald Preston of Valleyfield in 1579, and was alive in 1588. They had three sons:

1. George Seton of Northrig
2. Robert
3. Francis

After that generation the identity of the family disappears and it appears that they merged into the family of Seton of Monkmylne.

1. Seton: Family of Seton 1. 538-540.



Chapter XI.

FRASER-TYTTLER OF ALDOURIE  
 FRASER-TYTTLER OF WOODHOUSELEE  
 SKENE-TYTTLER  
 TYTLER.

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origin: unknown.

Alleged origin of these families.

Information regarding the origin of these families is chiefly based upon a document drawn up in 1728 by one Alexander Tytler W.S. and reproduced in George Seton's "Family of Seton".<sup>1</sup>

That statement has been rejected as authoritative, in the absence of documentary evidence; and, as James Hannay, has pointed out the story as put forward would certainly have appeared in Sir Richard Maitland's History had he known about it.

Perhaps the strongest evidence of a Seton origin is the blazoning of the Tytler coat of arms in the Lyon Register, though it is not conclusive evidence. That coat is Gules, a Lion's head erased argent and langued azure, betwixt three crescents or, all within a Bordure of the last.

The significant point is the three crescents; but the tinctures of the field and the crescents, as compared with those of the Seton coat, are transposed.

On the whole however it has been considered advisable to note these families briefly.

Alexander Tytler's statement, said to be based on what his grandfather (who died in 1690) had heard from his father, is as follows:

When George third Lord Seton accompanied James IV to Flodden, he had with him three brothers, Setons, one of whom was his domestic chaplain and a Catholic. Lord Seton and two of the brothers were killed; the chaplain escaped and obtained a living near the Border.

1. Seton: Family of Seton 1. 547.

He then became involved in a quarrel with one Gray and killed him, and fled to France where he changed his name to Tytler. He renounced the church, and married a Frenchwoman, and lived with his family in Calais.

In 1561 two of his sons came to Scotland in Queen Mary's suite, and were present at the action of Corrichie in 1562 between her forces and those of Huntly. One was killed, and the other settled at Learnie, in the parish of Midmar, Aberdeenshire; and from him the Fraser-Tytlers and Skene-Tytlers are said to be descended.

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1. Alexander Tytler.

1678 - 1743

Writer in Edinburgh, is said to have been sixth in succession from the Tytler who settled in Aberdeenshire. He was imprisoned for forty days for "treasonable practices" in 1715 in being concerned in an attempt to capture Carlisle.

He married Jane, daughter of William Leslie, an Aberdeen merchant, and was succeeded by his second son.

2. William Tytler of Woodhouselee.

1711 -1792

The second and surviving son of the preceding was a Writer to the Signet and acquired a considerable fortune. A man of great literary ability, he wrote "An enquiry into the evidence against Mary Queen of Scots".

In 1748 he bought from Patrick Crichton the estate of Woodhouselee in Midlothian, originally part of the property of Sir Robert Barton, Comptroller to James V.

He married Anne Craig and left three sons and three daughters. He died in 1792.

### 3. Alexander Fraser-Tytler, Lord Woodhouselee

1747 - 1813

After a brilliant educational career Alexander was called to the Bar in 1770 and ultimately became Lord Advocate.

In 1780 he was appointed Professor of Universal History in the University of Edinburgh, and published several historical and legal works. On his father's death he inherited Woodhouselee, and, soon afterwards his wife Anne Fraser inherited Aldourie and Balnain in Invernessshire. He then assumed the surname of Fraser-Tytler.

In 1802 he was raised to the Bench as Lord Woodhouselee. A baronetcy was offered to him in 1812, but he refused it, and died in 1813.

By his wife Anne Fraser of Aldourie he had four sons and three daughters. His sons were:

1. William (Fraser-Tytler) of Aldourie and Balnain.

2. James (Fraser-Tytler) of Woodhouselee.

3. Alexander (Tytler) went to India in the Judicial Service, and died in 1812.

4. Patrick (Tytler) author of the well known History of Scotland, for which he had a State pension of £200.

From this point the family divided into two branches which still exist, Aldourie and Woodhouselee.

#### 1. William Fraser-Tytler of Aldourie

1777 - 1853

He was an Advocate, and, like his father, held the history chair Edinburgh University. He became Sheriff of Invernessshire and Convener of the County.

He married Margaret, daughter and heiress of George Grant of Sanquhar, Morayshire. She inherited that property.

Of his five sons two, William and Charles Edward,

succeeded. Another son, James, became a Major General in the Indian Army and K.C.B.

William Fraser-Tytler died 4th September 1853.

3. Capt. William Fraser-Tytler of Aldourie.  
1815.- 1878

He went into the Indian Army and saw much service. He retired as a Captain, and became Depy. Lieutenant and Convener of Invernessshire. He died unmarried, and was succeeded by his brother.

4. Charles Edward Fraser-Tytler of Aldourie.  
1817 - 1881

Succeeded his brother in 1878, and was also Deputy Lieutenant of the County.

He was twice married.

By his first wife, Ethelred, daughter of John St. Barbe, whom he married in 1843 he had three daughters.

In 1852 he married, secondly, Harriet daughter of Canon John Pretymen, who had issue:

1. Charles William who died 1877.
2. Edward Grant who succeeded.
3. William Theodore who succeeded to his

grandmother's estate of Sanquhar, Morayshire.

Charles Fraser-Tytler died 30th Jan. 1881.

5. Lieut. Col. Edward Grant Fraser-Tytler  
of Aldourie 1856 -

? Cameron Highlanders, and Lovat Scouts

He was twice married.

By his first wife Edith, daughter of Lord Justice Sir John Selwyn, he had issue:

1. Charles Edward 1883 - 1886.
2. Neil, who succeeded.

He married secondly Christian, widow of James William Fraser-Tytler of Woodhouselee.



6. Lieut. Colonel Neil Fraser-Tytler of Aldourie  
D.S.O. 1889 -

Served in the Royal Field Artillery during the Great War, was three times mentioned in despatches, and awarded the D.S.O. and Bar and the Croix de Guerre.

In 1919 he married Christian daughter of J. Shairp of Houstoun, and has issue:

1. Ann, 1920.
- 2.

1. James Tytler of Woodhouselee.  
1780 - 1862

James, second son of Lord Woodhouselee, succeeded to the estate of Woodhouselee on his father's death in 1813, and dropped the "Fraser" from his surname. This was however reassumed by his descendants.

He was a Writer to the Signet and Lyon Depute.

His wife was Elizabeth daughter of Maurice Carmichael of Symington, by whom he had two sons and a daughter who survived him.

1. James Stuart who succeeded.
2. George Michael who married in 1864 Jane, daughter of George Skene of Rubislaw, Aberdeenshire, and had a son Maurice William who assumed the surname of Skene-Tytler.

2. James Stuart Fraser of Woodhouselee.  
1820 - 1891

Writer to the Signet and Professor of Conveyancing Edinburgh University.

He married in 1883 Christian daughter of William Scott-Kerr of Chatto, Roxburghshire and had issue:

1. Major James Francis who succeeded.
2. Capt. William Kerr M.C. born 1886. 25th Cavalry. Is in the Indian Political Dept.
3. Capt. Patrick Seton born 1892 R.F.A. killed in action 3rd August 1916.

After his death in 1904 James Stuart Fraser's widow married in 1912 Edward Grant Fraser-Tytler of Aldourie.

3. Major James Francis Fraser-Tytler of  
Woodhouselee D.S.O. 1884.

Writer to the Signet, Captain Lovat Scouts - served in the Great War in Lovat Scouts. Mentioned in dispatches and D.S.O.

He married in 1911 Florence, daughter of Henry Williams.

The estate of Woodhouselee was sold in 1922.

Arms of the Fraser-Tytlers.

The arms by the family throws light on their origin.

The coat is quarterly, the first quarter being gules, a lion's head erased argent between three crescents or within a bordure of the last. This appears to represent Tytler and Seton.

The second quarter of both branches of the family is ermine, on a fesse fer fesse, embattled gules and azure, three crescents argent for Craig of Dalnair, to which family the mother of Lord Woodhouselee belonged.

The third quarter is counter quartered, the first and fourth being azure, a bond engrailed between three frases argent for Fraser; second and third, gules three antique crowns or, the whole within a bordure argent for Grant of Burdsyards or Sanquhar, whose heiress married William Fraser-Tytler of Aldourie.

Crests - 1. Tytler - The sun issuing from behind a cloud.

2. Fraser - A stag's head erased proper.

Motto - "occultus non extinctus".

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Seton of Hailes.

The Name of "Sir George Seton of Hailes" appears occasionally in the time of George third Earl of Winton. None of the sources of information gives his parentage or his connexion with the family.

In a disposition dated 10th Sept. 1649 George Earl of Winton and "Master George Setoun of Haillis" it is stated that the latter sold the lands of Rollingston to one Andrew Keir.<sup>1</sup> Both Hailes and Rollingstoun had belonged to Francis Stewart Earl of Bothwell who was attainted. His son Francis married in 1614 Isobel Seton, sister of George third Earl of Winton, widow of James Earl of Perth.

On 1st March 1648 Charles I gave a charter of these and other lands to the Earl of Winton.<sup>2</sup>

Sir George, in a Diploma of the University of St. Andrews, is styled Doctor of Theology, and Fellow of St. John's College, Cambridge. The date of this document was 1629.<sup>3</sup> On 26th November 1650 he had a gift, under the Sign Manual of Charles II, of a pension of £1000 English, - which he probably never received. In this he is styled Sir George.

Sir George had a son Robert, who married Lady Anne Montgomerie. He died in 1655, leaving a son Robert and a daughter Marie.

"Captain Robert Seton" was styled Lieutenant in 1687, and in 1688 had a commission signed by James VII as "Captain Lieutenant," and another as "Captain in Sir "Edward Hale's Regiment". On 23rd Feb. 1695/96 a Privy Council Warrant was issued for his arrest on a charge of high treason, probably in connection with the Assassination Plot against William of Orange; it is noticeable that among his papers was an envelope containing a lock of hair of Sir John Fenwick, who was beheaded at the Tower in January 1696/97.

Captain Robert was alive in 1705, and an Inventory of his papers is in the Register House, Edinburgh.

- M
1. Seton Charters: 9-5 p. 25.
  2. Reg. Mag Sig: LVIII 141.
  3. Seton: Family of Seton II 997, 998.

Chapter XII.SETONS IN FRANCE AND HOLLAND.

The connexion of the Seton Family with France dates back a long way - probably to remote times - and lasted throughout the history of Scotland as an independent country. In these respects the family was typical of very many others in Scotland.

As regards its earliest relations with France it is at least possible that the earliest Seytouns came from there; though history is silent on that point. Michel (Écossais en France) states definitely that the family came from Say in Normandy at about the same time as many other Scottish families, such as the Lindsays, Gordons, Frasers, Melvilles, Grays, Grants, Hays and Campbells. But this origin is conjectural. It is at least highly complimentary to the families concerned to find how eagerly French writers claim them as compatriots.

Whatever their origin there is no doubt, Michel is right in describing the Setons as "une famille *"etroitement liée, à toutes les époques, avec notre pays"*; and, for at least 400 years, members of the main and cadet branches were very closely connected with France, and played a not inconsiderable part in the military history of that country. They also frequently acted as intermediaries in the diplomatic relations that grew closer as the years passed.

The old historians - Fordun, Buchanan and others - trace back the "auld alliance" to the reign of Charlemagne; and in the marriage contract of Mary Queen of Scots and the Dauphin it is stated to have already existed 800 years. These claims are perhaps not altogether supported by modern historians; but we know that Malcolm III about 1079 had some sort of treaty with Philip I of France.

The defensive alliance against England entered into in 1295 by John Balliol, however, may be regarded



as being really the first of the long series of alliances which lasted for three centuries. From that time onwards there was a stream of emigration between the two countries, and, as Michael points out, at the beginning of the 14th century there were Scots to be found in the remotest villages of France. On the other hand, French soldiers of all ranks are to be found constantly fighting on the Scottish side in the wars with England.

The deep sympathy that existed, and still exists, between the two countries was, naturally, exploited by the great military leaders. The excitement of life at home, with its frequently recurring internecine feuds between the Crown and the Nobles, its periodical excursions across the Border to measure swords with the old enemy England, or to repel English hosts when they came to ravage the Lowlands, was, apparently not enough to satisfy the ambitions of the young men of Scotland; and so, for centuries, Scotland was deeply involved in a succession of "Lost Causes" on the Continent.

The cynic may, with some reason, point to the pressure of economic problems, - the "*res angustae domi*" as the most potent of the influences which impelled the mediaeval Scot to go abroad and take a hand in what was none of his business; or to the pressure of the law on those who had transgressed beyond forgiveness; or, in the case of the younger sons of noble families, to the craving of their fathers for "*plesour and voluptie*", which old Maitland of Lethington comments on as being the undoing of families.

All these, and many other causes, no doubt combined to swell the flood of emigration to the Continent, and, incidentally, to make the Scottish mercenary respected over the length and breadth of Europe, as the doughtiest of fighting men.

But over and above all such impelling forces were the craving for adventure and that extraordinary passion for hazarding their all in pursuit of ideals which has always characterised the nation. Flodden, Pinkie, the

'15, Culloden - a long succession of glorious disasters at home-had their counterpart at Verneuill, Beaugé, Prague, Stralsund and many another bloody action in Europe. Scottish troops were repeatedly cut to pieces facing great odds, Scottish families disappeared in a welter of blood - yet and on, the "urlar" of it all was a genius for espousing the losing side, and then playing the game right through.

On none did the fascination of France exert a more powerful influence than on the Setons and the Gordons; and, generation after generation, we find individuals leaving their native land and taking service as soldiers of fortune under the French Crown. In many cases they settled down finally in the land of their adoption. Long before there was a standing army in Scotland or in England there was one in France, and for its "corps d'élite" it depended largely on these mercenaries who joined it with the deliberate intention of fighting England.

The first body of Scottish troops, employed as such, in France was one consisting of 3 knights 6 esquires and 12 archers<sup>1</sup>-supplied in 1401-2 by David Lindsay Earl of Crawford to Louis, Duke of Orleans; but individual Scotsmen were so numerous that the English King Henry V is said to have remarked, shortly before his death in 1422, "Je, - ne puis aller nulle part sans trouver devant ma barbe des Ecossais morts ou vifs" (Scottichronicon Lib. XV. cap. 34).

In 1407 the Earl of Mar commanded a force of 60 Scottish Knights at the battle of Liege, among whom were Sir Gilbert Hay and Sir John Bothwell; and in 1412 Archibald Earl of Douglas entered into a mutual arrangement with the Duke of Burgundy to furnish 4000 men at arms and archers provided the Duke himself sent 300 men at arms to serve under Douglas, when required, in Scotland.

But the historical body of Scottish soldiers, which played so important a part in the French war with England, was that taken out by John Stewart Earl of

1. The Earl of Crawford received a pension of 1000 francs in return for this force. From that time the Dukes of Orleans had Scottish guards.

Buchan in September 1419. Things were going desperately badly with Charles the Dauphin when he appealed to Robert Stewart, Duke of Albany and Regent of Scotland for assistance. Albany with the consent of Parliament. at once raised a force of 7000 men under the command of his son Sir John Stewart, Earl of Buchan, Archibald Douglas Earl of Wigtoun and Sir John Stewart of Darnley.

The advance guard consisted of 150 men at arms and 300 archers under Sir William Douglas. Among the captains was Thomas Seaton, who subsequently greatly distinguished himself at Beaugé; he commanded 27 men at arms and 100 mounted archers. The French records show that Thomas Seaton was employed "as well to accompany Monseigneur le regent for the safety of his person as to serve the regent and the King against the English". On 21st March 1421, along with a French army, Buchan's force met and totally routed the English under King Henry's brother, the Duke of Clarence; and Clarence himself was killed. In recognition of his achievement Buchan was made Constable of France, the highest military honour of the time.

In his "despatch" to Charles reporting the victory Buchan picked Seton out of the entire Scottish Force as having "done his duty well" and recommended that he be made Seneschal of Berry. He was awarded the estate of Langeais.

The following year Buchan returned to Scotland for reinforcements, and brought 10,000 men. But the fortune of war had changed, and in July the Scots force had received a severe mauling in attempting to capture Crevant. In this action 3,000 Scots were left on the field, among others Sir Thomas Seton. Buchan's force was now commanded by his kinsman Archibald, Earl of Douglas.

On 17th August 1424 the Scots were attacked at Verneuil by the English under the Duke of Bedford; the French deserted early in the engagement and the Scots were left to face the English and Burgundians alone. They were cut to pieces and left 9,000 men, including



Buchan and Douglas, on the field.

In this Scottish army were several Setons - William Master of Seton was killed; Sir Alexander Seton "dominus de Gordon" was present with 40 lances and 160 horse of his own; Captain Thomas de Seatone was killed at Crevant; and there were archers of the family.

What remained of the Scottish army received the most signal recognition from the French King. In 1425 the French Registers mention the Scottish Company of men at arms and archers "ordounez a la garde du corps "du roy"; and from this time dates an institution which survived until the final disappearance of the French monarchy.

In 1445, when the first regular organisation of the French army was carried out, two of the Companies were entirely Scottish. The first of these was called by the name of John Stewart, Lord of Aubigny, and up to 1788 was known as "Les Gendarmes Ecossais"; the second became the first company of the Royal Life Guards, called "compagnie ecossaise de la garde du "Corps du Roi". This latter ultimately came to consist of 24 "gardes de la manche" and 100 other archers, - the celebrated "Archers of the Guard" who had special and much coveted privileges.

In 1474 another company of Scottish gentlemen - "Les Cent Gentils Hommes" was formed; in Royal processions they marched in front of the King and the Scots Guards behind.

The "Homme d'armes" carried complete armour from head to foot; the archer, in the early days of the corps, carried a bow and javelin. Both companies served either on foot or mounted.

Their uniform was distinctive; and, in remembrance of the "auld alliance", they bore on their weapons the fringed lace of silver and white silk and the royal coat of arms.

For many years the command of the Garde Ecossaise had been limited to the Scottish nobility, and it was greatly sought after. In 1584 Stafford reported to



Queen Elizabeth that Lord Seton was in Paris and was trying to persuade the King to displace the Frenchman who was then in command and to put in his own son, or at least a Scottish captain, in his place. He did not succeed, as far as his son was concerned; but for a long time the appointment was held by the Lennox family. Again in 1623, by which time the Guard had rather fallen into decay, Louis XIII was urged by the Scottish nobility to reorganise it. This he did, conferring the command on Ludovick, Duke of Lennox; on his death in 1624 Lord Gordon, son of the first Marquis of Huntly was appointed in his place.

The rolls of the "Gensdarmes Ecossaïs" and of the "Compagnie Ecossaïse de la Garde du Corps du Roy" give complete information regarding the poor gentlemen of Scotland who served successive Kings of France, for over 250 years. Among them the names of Seton and Gordon appear repeatedly - at least 50 served as archers, homme d'armes, Écuyers and in higher ranks at different times. They were probably younger sons who went abroad, partly for adventure and partly because they had no prospects at home.

Only rarely is it possible to trace the individuals as belonging to a particular branch of the family. Among the earliest was Robert de Seton, second son of the fourth Lord Seton of whom the family historian narrates that "he was sum pairt gevin to voluptie and plesour . . . quhair throw he hurt her heritage". That Robert de Seton died at "Millaune" a soldier of fortune, in the French service, leaving a son William who followed his footsteps. In 1598 there was a "Capitaine Seton", probably Sir John Seton of Cariston, who was "banished for his loyalltie, went to France and was made by the King Capitaine of the Gens d'armes, "being no smalle honour to a gentleman to attain to". He married a daughter of the Compté de Bourbon and settled down in France. His son Jehan Seton, "Ecuper" (Esquire) Sieur de Cariston, Lieutenant exempt des "Gardes Ecossaïses du Corps du Roy" also married a French lady. He died in 1661.

Many of these Setons and Gordons became French subjects, and acquired properties in France; thus Sir John Seton became Seigneur of Coulommiers en Brie, and two other Setons were Seigneurs of Lavenage and Langeais.

Roll of Members of the Family who served  
in the Scottish Guard in France.

Buchan's original contingent 1419.

Thomas de Seton, Captain "Officier d'Ecurie".

Jean Seton, archer

Pierre Gordon, Ecuyer.

Buchan's second contingent.

Sir Thomas Seton, killed at Crevant 1423.

William, Master of Seton, killed at Verneuil 1424.

Sir Alexander Seton, "Dominus de Gordon".

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1438	Alexandre Seton, with 11 "hommes d'armes"	
	and 12 archers, Ecuyer.	
1465	Guillaume Seton, archer.	
1484-6	Jehan Gourdon	"
1498	Alexander Seaton	"
1499	Jehan Gourdon	"
1505	Thomas Gourdon	"
1505	Robert Gourdon	"
1505	Thomas Gourdon, leguire archer.	
1515	Guillebert Gourdon	" killed.
1516-33	Thomas Gourdon	"
1533	Alexander Gourdon	"
1546	Andro Gourdon	"
1550	Guillaume Gourdon	"
	Scandt Gourdon	"
1571	Andro Seton	"
	Patrick Seton	"
	Alexandre Ceton	"
	George Ceton	"
1574	Guillaume Seton	Homme d'armes.
	Andre Gourdon	"
	Richard Gourdon	archer.
1587	Alexander Seton	Homme d'armes.

	Patrick Seton	exempt. <sup>1</sup> .
	Unert Seton	archer.
	George Seton	"
1598	Sir John Seton of Cariston,	Captain.
1620	James Seton	archer.
1622	Jehan de Seton, Seigneur de Cariston,	Lieutenant.
1623	Lord Gordon, Earl of Enzie,	Captain of the Guard.
1624	Denis Setton,	archer.
	Jehan de Seton	exempt, Lieutenant.
	Ninien de Seton	"
	David Seton	archer "de la Manche".
1633	Marquis de Gordon	
	George de Gordon	Homme d'armes.
	William Gordon	"
	John Gordon	"
	James Gordon	"
	Alexander Gordon	"
1646	Seton	archer.
1647	Patrick Gordon, Marechal des Logis.	

The Scottish soldier of fortune did not limit his activities, however, to France. In 1620 one Sir Andrew Gray raised a regiment for the service of the wife of the Elector Palatine, Frederick IV, Elizabeth Stewart, daughter of James VI. This regiment appears to have been, in part at least, of the character of Kipling's "Legion of the Lost Ones, the Cohort of the

1. Archers of the Bodyguard had to carry halberds when on foot and pistols and javelins when mounted. In each of the Companies the four best archers were exempted from this rule, - hence the name "exempts."
2. At the funeral of Louis XIII there was a dispute in regard to precedence between the Scots Guards and the Royal Servants as to the carrying of the coffin. Lieut. Seton insisted on the rights of the Scots Guards being observed.

"damned", for it contained broken men of all sorts, and criminals from the Tolbooth. For two years it fought brilliantly, and in 1623 Gray handed over what remained of it to John Hepburn, after whom - according to the custom of that day - it was called Hepburn's regiment. Among its officers were a Sir John Seton, son of Sir William Seton of Kyllismure, and another "Jehan" Seton. They were both serving in 1622.

Another corps of the same type was "the worthy Scots regiment callit Mackeye's" raised by Sir Donald Mackay in 1626 for service under Count Mansfeldt . . It was largely Highland and comprised many men of broken clans such as the Macgregors. It was 3,000 strong when it left Scotland, and a German contemporary writer says it could march 70 English miles a day. On the death of Mansfeldt it went over to the King of Denmark, and, after a year's fighting against the redoubtable Tilly, was reduced to a skeleton. Mackay having become Lord Reay the regiment was now known as Reay's.

Among the reinforcements it received was "a strong company of well exercised soldiers"<sup>1</sup> under one "Sanders" Seton, who "was by his Majestie's patent made Lieutenant Colonel". Seton was in command at Stralsund in 1628 when the regiment beat off Wallenstein. In 1631 Reay's regiment with Hepburn's and some other Scottish corps composed "Hepburn's Scots Brigade" and fought continuously for three years. So exhausted were all these corps at the end of it, that in 1634 the remains of thirteen of them were merged into a new "Hepburn's regiment" which became part of the French army under the curious title of "le regiment d'Hebron". Into it also were absorbed part of the "Garde du Corps Ecos-sais" and its strength was brought up to 9,000 men. When Hepburn was killed in 1637 it became "le regiment de Douglas" after Lord James Douglas, who took it

1. Monro, his Expedition with the worth Scots Regiment (called Mackeye's regiment) levied in August 1626.



over.

After many vicissitudes it was transferred to the British Crown in 1677 as "Dumbarton's regiment", and is known now as "The Royal Scots".

The Hon. George Seton, son of Viscount Kingston, was killed while serving in it in 1680.

Other regiments of the same kind were raised, existed for a short time and disappeared.

Such were Keith's regiment, one of whose officers was Capt. James Seton (died 1769) son of Sir George Seton Bt. of Garleton; and Wauchope's Regiment, in which served another brother of this branch, Andrew.

It was not only in the tented field that Setons distinguished themselves in France. As far back as 1290 a Thomas Seton was a Doctor of the Sorboune and a theologian of repute; in 1647 Doctor William Seytoun, jurisconsult, used to sit at the Louvre surrounded by students and admirers; he was a friend of Balzac, who was so charged with his "rethorique coulante" <sup>1.</sup> that he gave him a gold pen.

The Gordons too had representatives in peaceful pursuits in France. Early in the 14th century a Bernard Gordon was practising medicine at Montpellier; and there was a Maitre Gordon Canon of Marmontiers. Several Gordons became priests at different times.

Of the diplomatic careers of Setons and Gordons details have been given elsewhere sufficient to show that, for many generations, members of the family were continuously engaged in maintaining liaison between Scotland and France and doing much to determine the foreign policy of the two countries. They were as much at home in France as in Scotland.

The records of the Scots College at Douai refer to several members of the family. Thus in 1594, William Gordon, brother of the Earl of Huntly, was living there "at his own charges"; and in 1596 there was an

1. "The discovery of a most excellent Jewel"

Sir Thomas Urquhart.

Alexander Seton "a Calvinist . . of whose conversion "there is good hope". In 1620 Henry and John Seton were at the College, and Gilbert Seton was dismissed "for his insolent behaviour". In 1658 Robert Seton, a younger son of the 3rd Earl of Winton, studied at the College and, on his death in 1673, is said to have left it 30,000 merks Scots.

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The Scots Brigade in Holland.<sup>1.</sup>

Just as the French Crown for many generations found Scotland the best recruiting place for first class soldiers, so the Estates of Holland, during the 16th century, turned to the same country for an important force of mercenaries. From 1572 to 1782 there was a Scots Brigade of three regiments, and in addition several regiments served temporarily as military necessities demanded.

In these units many members of the family served as officers and in the ranks. In 1579 there was a Capt. Henry Seton in Balfour's Regiment. In 1582 a Col. Seton commanded the Scottish Forces operating against the Prince of Parma. In 1608 a "Christoffel "Citon" was compelled to demand arrears of pay, and Capt. James Seton commanded a company of the Utrecht regiment. In 1639 Gilbert Cetoun, a soldier, was taken prisoner, and at Malplaquet Lieut. Seton was killed. In 1749 Lieut. Seton was serving in the "Regiment of Halkett".

The Gordons were far more numerous in these regiments. Quite a considerable proportion of the officers had the surname of Gordon; but they do not appear to have become soldiers of fortune much before

1. "Scots Brigade in the service of the United Netherlands." Scottish History Society.

the close of the 17th century. Large numbers of Gordons also served in the ranks.

It was to the regiments of the Scots Brigades in Holland, George, Lord Seton appealed on behalf of the exiled Queen after the battle of Langside. (see page of typescript.

After 200 years of faithful service as mercenaries the officers and the small remainder of the Scottish rank and file of these units were disbanded in 1792, and in 1793 reappeared as the 94th Regt. (Scots Brigade). After many vicissitudes, including disbandment after Waterloo, the regiment was linked with an Irish regiment, and is now - with that astonishing sense of humour so common in War Office of the day - the 2nd Battalion The Connaught Rangers.

The rolls of the regiments of the Scots Brigade in Holland contain the names of the following members of the family of Seton.

"Chrystoffel Citon" 28th November, 1608, whose name comes up in connexion with a complaint about pay.

Gilbert Cetoun 15th March 1639, taken prisoner at Cello. He belonged to the regiment of Colonel Balfour. He may have been the unidentified Gilbert Seton who in June 1620 entered Douai College but was subsequently dismissed "ob mores insolentes".

Capt. Henry Setton 1579, commanded a company and fought at Menin, in the Scots Brigade of Col. Balfour.

Capt. James Setton commanded the Utrecht Company 1606. He was in Utrecht in 1618, in the regiment of Colonel Bog.

Col. Seton commanded a column against the Prince of Parma, who was besieging Oudenarde in 1582, with the object of relieving that place.

Lieut. Seton in 1583 is said to have had treasonable intercourse with Parma and promised to deliver up Ghent.<sup>1</sup>

Sir Henry Seton Bt. of Abercorn served in the Brigade, as an ensign, before entering the British army.

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1. Scots Brigade in Holland (Sco. Hist. Soc<sup>y</sup>.) 32.









